

Cook, Kevin

To: McLaughlin, Beth
Subject: RE: [EXTERNAL] Appointment of Stephen Brown

From: KD Feedback <kdfedback@gmail.com>
Sent: Thursday, May 9, 2024 3:21 PM
To: McLaughlin, Beth <bmclaughlin@mt.gov>
Subject: [EXTERNAL] Appointment of Stephen Brown

Good Day Beth:

I have only appeared before Judge Brown on one occasion but I found him to be highly competent and would recommend his re-appointment.

Regards,
KD Feedback

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Cook, Kevin

Subject: FW: Assoc. Water Judge Stephen Brown

From: Patrick Byorth <Patrick.Byorth@tu.org>
Sent: Friday, May 10, 2024 12:09 PM
To: McLaughlin, Beth <bmclaughlin@mt.gov>
Subject: [EXTERNAL] Assoc. Water Judge Stephen Brown

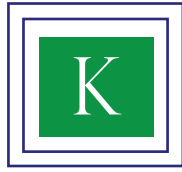
Greetings Ms. McLaughlin and Chief Justice McGrath,
I am writing to support Assoc. Water Judge Stephen Brown for reappointment to his position. Over the past four years, I have been engaged in over a dozen cases in the Water Court. My colleagues and I have tried three cases before Judge Brown, settled four others, and await a number of pending motions and decisions. I have been impressed with Judge Brown on many levels. First, and most important to my clients, he has been even-handed in his judgments (some in our favor, some not), followed the law, and his decisions are well considered, based on solid interpretations of the law, and always received with fair treatment. He is very professional and congenial in his interactions with counsel. His intelligence and comprehension of the law are top-notch. Like most members of the bar, I'd like to prevail in every case, but more importantly would always prefer that our judges are fair, impartial, and dedicated to the rule of law. I support Judge Brown's reappointment without reservation. Thanks for your consideration.

Sincerely,

Patrick Byorth



PATRICK BYORTH | Montana Water Director, Western Water and Habitat Project
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pbyorth@tu.org | 406.548.4830 | www.tu.org [tu.org]



Knuteson Law PLLC

May 13, 2024

To: Chief Justice Mike McGrath
Montana Supreme Court
c/o Beth McLaughlin, Court Administrator
bmclaughlin@mt.gov

Re: Letter in Support of Judge Stephen Brown's Reappointment to the Montana Water Court

Dear Justice McGrath:

I am writing in support of Judge Stephen R. Brown's reappointment to the Montana Water Court.

While Judge Brown's accomplishments in private practice, as a long-time law professor and legal scholar, and as a Judge on the Water Court stand on their own, I am grateful to have this opportunity to share some of the reasons I hold Judge Brown in such high regard and why I believe he should be reappointed for another term.

I have known Judge Brown for thirteen years, first as my law professor, then as an advocate, mentor, and friend who on countless occasions has generously shared the benefit of his extensive experience and wise counsel on matters both personal and professional over my first decade+ in the legal profession. In all roles, Judge Brown has demonstrated unrelenting integrity, patience, fairness, and steadfast adherence to the highest ethical standards both in private practice and in his recent years of public service as a Judge. He has a rare gift for bringing out the best in others, and for effectively guiding others toward reason, even under the most stressful and contentious circumstances. This latter trait is one of the most critically important for any Judge, but one which can be elusive in our competitive profession. I have never known another attorney to demonstrate this specific kind of leadership more effectively or consistently than Judge Brown.

Judge Brown's technical and science background, expertise in natural resources and environmental law in general, and in water law in particular, is widely recognized on a national scale. Montana is fortunate that a respected legal scholar and water law expert such as Judge Brown has elected to serve our community and our environment as a Judge on our Water Court these past several years, particularly when his expertise would be in such high demand in the private sector as Montana experiences unprecedented growth and mounting pressures on our treasured--and finite--water resources.

While I do not practice before the Water Court, I am a longstanding member of the Montana State Bar's Water Law Section and have attended most, if not all, water-related CLEs offered in Montana over the past decade.

Judge Brown has freely given his time to educating his colleagues at nearly every Water Law Section meeting and event; his presentations are always extremely well organized, timely and relevant. I also read Water Court decisions, as water rights matters are tangential to my practice, so I have some familiarity with Judge Brown's work as a water Judge. I am aware that he has distinguished himself in that capacity just as he did as an expert water attorney in private practice, and as he continues to do as an adjunct law professor at University of Montana School of Law, and I appreciate his thoughtful, concise, and articulate opinions.

From a practical perspective, Judge Brown has promoted and implemented many innovations and improvements within the Water Court which have enhanced interactions both for attorneys and for members of the public. His dedication to adapting the Water Court to the most current software, technology, legal databases, and digital practices has increased transparency and accessibility of filings and decisions on issues of statewide importance. Water Court case information and decisions are no longer the domain of a few but are now accessible to all of us whose properties, businesses and recreation interests are subject to the Court's rulings. These advances which have occurred during Judge Brown's tenure as Associate Water Judge have undoubtedly helped unrepresented parties in their efforts to understand and to more effectively participate in proceedings related to their water rights, to the benefit of all.

Finally, I would like to emphasize Judge Brown's even-keeled temperament and commitment to fairness in all his dealings. I had many opportunities to witness Judge Brown's aptitude for managing even the most difficult or antagonistic personalities when he was in private practice, in the years preceding his transition to the Water Court. Judge Brown simply does not abide gossip, pettiness, incivility, or other antics geared toward distracting him from the legally relevant facts and issues at hand. I imagine his reputation for impassivity even when confronted with provocative behavior serves the Water Court well, as tensions can run high where such critical property rights are concerned and so many are now competing for limited water resources.

For all the reasons above and for many more I wish I had time to share, I wholeheartedly support Judge Brown's reappointment to the Montana Water Court and I sincerely hope you will allow him to continue in his expert service to our beautiful state and water resources.

Sincerely,

A handwritten signature in black ink, reading "Amanda R. Knuteson". The signature is fluid and cursive, with the first name "Amanda" being the most prominent part.

Amanda R. Knuteson



DONEY CROWLEY P.C.
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May 20, 2024

Via email only bmclaughlin@mt.gov

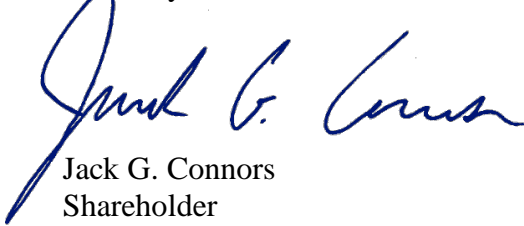
Chief Justice Mike McGrath, Montana Supreme Court
c/o Beth McLaughlin, Office of the Court Administrator

RE: Reappointment of Stephen R. Brown as the Associate Water Court Judge

Dear Chief Justice McGrath:

I strongly support Judge Brown's reappointment as Associate Water Court Judge for the Montana Water Court. Since he was appointed Associate Water Court Judge in 2019, Judge Brown has served with the utmost distinction and the people of Montana would be well served if Judge Brown is reappointed for another term. As the Montana Water Court pushes to complete the adjudication process, Judge Brown has the knowledge and experience to help bring the adjudication to a successful conclusion.

Sincerely,



Jack G. Connors
Shareholder

9206.000 - PL 402439

From: [Cook, Kevin](#)
To: [Cook, Kevin](#)
Subject: FW: Public Comment re: Associate Water Judge
Date: Tuesday, May 28, 2024 7:13:00 AM

From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Wednesday, May 22, 2024 11:34 AM
To: McLaughlin, Beth <bmclaughlin@mt.gov>
Subject: Public Comment re: Associate Water Judge

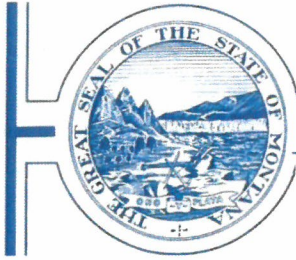
Dear Beth,

I am writing in support of the reappointment of Associate Water Judge Stephen Brown. With firsthand experience observing Judge Brown in action, I can confidently attest to his exceptional skills, unwavering dedication, and commitment to impartiality. His remarkable fairness, wisdom, and ability to navigate complex legal issues have earned him the respect and admiration of his peers and those who have appeared before him. I firmly believe that Judge Brown's exceptional qualifications make him an ideal candidate for reappointment.

Thanks so much for your consideration,

Sara Calkins
Administrator/Clerk of Court
Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
(406) 586-4364
Sara.Calkins@mt.gov

MONTANA WATERCOURT



(406) 586-4364
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PO BOX 1389
Bozeman, MT 59771-1389

STATE OF MONTANA

April 16, 2024

Dear Justice McGrath,

I am writing to recommend re-appointment of Judge Brown as associate water judge. I've known Judge Brown for over 20 years and have seen him work as both a practitioner and a judge. His performance in both roles has been outstanding.

Judge Brown is thoughtful, well prepared, and measured in his approach to problem solving. He has a fine judicial temperament and is well respected by court staff. He is one of a handful of people who understand the complexities of managing Montana's adjudication process.

Judge Brown is well qualified to serve as associate water judge. Appointing him to another term will provide the court with continuity of leadership and the people of Montana with a competent jurist.

It has been an honor and a privilege to work with Judge Brown. I recommend him without reservation.

Regards,

A handwritten signature in blue ink, which appears to read "Russ McElyea".

Russ McElyea
Chief Water Judge

**. . . to expedite and facilitate the adjudication of existing water rights."*
CH.697 L. 1979

"AN EQUAL OPPORTUNITY EMPLOYER"