

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

TOOLE & FEEBACK, PLLC
702 Main Street
P.O. Box 907
Lincoln, Montana 59639
Phone: (406) 362-4025
Fax: (406) 362-4090
kdfedback@gmail.com

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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

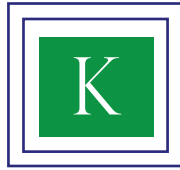
Greetings Ms. McLaughlin and Chief Justice McGrath,
I am writing to support Assoc. Water Judge Stephen Brown for reappointment to his position. Over the past four years, I have been engaged in over a dozen cases in the Water Court. My colleagues and I have tried three cases before Judge Brown, settled 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
321 E. Main Street, Suite 411, Bozeman, MT 59715
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 that reads "Amanda R. Knuteson". The signature is written in a cursive, flowing style.

Amanda R. Knuteson