

January 2, 2025

VIA EMAIL ONLY

Chief Justice Cory Swanson
Montana Supreme Court
c/o Office of Court Administrator
rbird@mt.gov

Re: Appointment of Bina R. Peters as Associate Water Judge

Your Honor:

I submit this letter in support of Bina R. Peters' appointment as Associate Water Judge of the Montana Water Court.

I am a water attorney in private practice who regularly appears in front of the Montana Water Court and in water administration/enforcement matters before state district courts. I have had the privilege of appearing before, and/or practicing with, each of the candidates for Associate Water Judge. Without a doubt, Ms. Peters is the most qualified and well-suited candidate for the job. She is the only candidate with the requisite experience, temperament, and clear-eyed understanding of the importance of timely finalizing Montana's statewide water adjudication process.

I have known Bina for more than a decade, first as a fellow law student, then in her role as a water master, and finally as a colleague in the private practice. Bina is a "lawyer's lawyer" who has earned the respect of the judiciary, her colleagues, and her clients because of her knowledge of Montana water law, even temperament, and thoughtful leadership.

Many of the letters you have received speak to Bina's abilities as a lawyer from the perspectives of her colleagues and clients who accurately describe Bina's capabilities as an attorney. With this letter I would like to highlight Bina's professional dedication to the advancement of the practice of water law in Montana and her leadership roles in legal organizations and committees that distinguish her from the field of candidates.

Bina is a past-chairperson and current member of the governing council for the Montana Water Law Section of the State Bar of Montana, a voting member of the Montana Water Adjudication Advisory Committee, and a regular presenter at continuing education seminars on Montana water law. Her contributions to each of these organizations are always thoughtful,

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forward focused, and well-reasoned. During discussions or educational presentations, Bina is not afraid to voice respectful dissent or question whether a proposed action is the best action, which leads to discussions that usually result in a better end-product for the intended audience. Each selection and appointment to a legal organization demonstrates Bina's commitment to the betterment of Montana's legal profession and the respect Bina has earned from her peers and colleagues as an authority and leader in Montana water law. Moreover, I am confident Bina will bring the same thoughtful approach to the Water Court when rendering decisions, mentoring water masters, and collaborating with the Chief Water Judge on matters of court administration as the statewide adjudication continues to come to its ultimate end.

Finally, while each candidate has experience as a water master at the Water Court, it is Bina's decade-long career in private practice that sets her apart from the field. Not only has Bina represented hundreds of water users across Montana, from individuals water users to water supply companies to municipalities, in both the Water Court and in state district courts, but she has also managed a successful small law firm. Much like a county attorney's dual roles as lawyer and administrator, co-managing the day-to-day business administrations of a law firm *in addition* to practicing law requires superior organizational, communication, and time-management skills to maintain the success of the firm's business and uphold a high quality for legal pleadings and communications. Bina's excellent business organizational skills will be an asset to the Water Court and Montana's judiciary as whole to ensure the statewide adjudication keeps pace with Legislative timelines while still safeguarding litigants reasonable and fair opportunities to have their existing water right claims adjudicated as accurately as possible.

The people of Montana will be well-served if Bina Peters is appointed to be the next Associate Water Judge and I recommend her without reservation.

Best regards,

PARSONS BEHLE & LATIMER

Abigail R. Brown

Abigail R. Brown
Attorney at Law