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January 8, 2025

Hon. Chief Justice Cory Swanson
Montana Supreme Court
c/o Robert Bird, Office of the Court Administrator
PO Box 203005
Helena, MT 59620-3005
rbird@mt.gov

Via email only

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

Your Honor:

I write this letter of recommendation in support of Bina R. Peters' appointment to the position of Associate Water Judge of the Montana Water Court. I am a private practice attorney working primarily in water law for over 20 years, and over that time I have practiced with, against, or appeared before all of the candidates for Associate Water Judge. There is no question in my mind that of the candidates, Bina best exemplifies the knowledge, experience, and judicial temperament that is necessary for the next Associate Water Judge.

I first met Bina when she became a Water Master at the Montana Water Court about 15 years ago. I found her jurisprudence at that time to be thoughtful, accurate, and timely. After Bina left the Water Court, I continued to cross paths with her as she started private practice and established her own firm. In the course of our respective practices, I have been aligned with Bina in some matters and have been opposed to her in others. Throughout those interactions, I have consistently found Bina to be a strong advocate for her clients in a knowledgeable, respectful, and professional manner. Bina's traits of being both smart and strong are two characteristics that a good judge must have in abundance. Bina considers and weighs all the facts, law, and circumstances of a given case. But equally important, she is self-confident in her judgments and analysis. Bina is well-qualified to intelligently analyze a situation, and thereafter unambiguously articulate her judgment.

Bina also has a strong history of improving the practice of water law in Montana. I served on the Board of the Water Law Section of Montana State Bar when Bina was the Chair of that organization, and I found her leadership exemplary. She was also appointed by Chief Judge

McElyea to be a member of the Water Adjudication Advisory Council, a statutorily recognized entity advising the Montana Water Court. Each of these positions demonstrates Bina's commitment to the advancement of Montana water law and the respect Bina has earned from her peers and colleagues.

I unreservedly recommend Bina Peters to be appointed as the next Associate Judge for the Montana Water Court.

Sincerely,

BROWNING, KALECZYC, BERRY & HOVEN, P.C.



W. John Tietz