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Re: Associate Water Judge Candidates

Dear Chief Justice Swanson:

I am writing to express support for two candidates for the Associate Water Judge position. For a myriad of reasons, I highly recommend both applicants. Here, I will press my case for why Bina Peters should be considered for the Associate Water Judge Position.

I am a water law practitioner with over ten years of experience in private practice working primarily on water-related cases in multiple venues – district court, administrative proceedings and importantly here, the water court. During that entire time, I have worked both alongside and opposite Bina on many water adjudication and delivery cases.

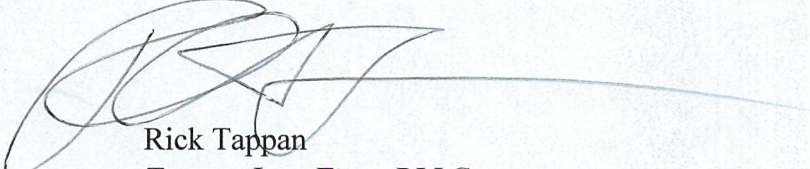
Throughout all of my experiences with Bina, I have found her to be a reasonable and approachable advocate, whether adversarial or not, whom I could discuss legal and factual issues in a productive and collegial manner. I cannot stress how considerate and professional Bina handles herself when advocating against either myself or any other member of the Water Bar. She is considerate and measured without sacrificing her clients' interests – yet her ability to compromise demonstrates maturity, understanding, and insight on how best to reach her clients' goals. While Bina is a pleasure to work with and against, one should not take her mild demeanor for weakness as she can possess iron resolve when pushed and is always a formidable adversary that should be respected.

I have sparred with Bina on legal issues of first impression before the water court and recognize and appreciate her deep understanding of Montana water law and ability to look towards future issues we all shall face in adjudicating and managing our precious water resources while also respecting the prior appropriation doctrine so embedded in this state's history and practice. Bina has a proven ability to work with clients across the spectrum of water right interests – whether ranchers, irrigation districts, conservation groups, or municipalities. Bina has served, and served well, those diverse interests without compromising consistent law or policy arguments.

Bina has the temperament and in-house background as a former water master to quickly assume the mantle of Associate Water Judge and work collaboratively with the masters and Chief Judge to steer the water court through the remaining adjudication and what lies beyond.

Without reservation I recommend Bina for Associate Water Judge.

Respectfully,



Rick Tappan
Tappan Law Firm, PLLC