



FERGUSON & COPPES PLLC

A Natural Resource Law Firm

Chief Justice of the Supreme Court
Montana Supreme Court
RE: Letter of Recommendation for Appointment of Associate Water Judge

January 10, 2025

Hon. Chief Justice Cory Swanson:

My name is Graham Coppes and I own and operate a small law firm in Missoula specializing in water and natural resource law. I write this letter to submit my unconditional support for the appointment of Senior Water Master Nathan Block for the position of Associate Water Judge on the Montana Water Court.

I have known Nathan for over a decade, since we first met in law school. Our shared interests in natural resource and property law led to many long and academic debates in those days, as we worked our way through process of evolving our minds into the legal and analytic framework demanded by the law school curriculum. While we often did not see eye-to-eye as to our opinions on various legal topics, I have always respected and appreciated the even-natured and equitable foundation for critically analyzing difficult legal issues that Nathan brings to table. For as long as I have known him, both in professional and personal capacities, he has shown me to be a true and honest student of the law, intrigued and motivated by its potential to solve complex problems in relation to a given set of facts. I believe these are the exact qualities that we desire in our judges.

Water law operates as a defining set of principles, rooted in deep tradition, to allocate an insufficiently scarce and extremely valuable resource amongst competing interests. To this end, the Water Court serves a critical function of being the modern forum for adjudication of Montana's water rights, set amidst a backdrop of legal doctrine often stretching back a century or more. Yet, at the same time water adjudication serves as a critical building block for our future, by recognizing and confirming that which "existed", but also holding it to account through modern scrutiny.

This tension inevitably gives rise to great controversy amongst Montana's competing water users. While extremely difficult for anyone to accomplish, I have personally witnessed Senior Water Master Block balance these interests with poise and clarity, simultaneously honoring long-established legal precedent while also applying practical realism to his decisions. In my personal experience he has been responsive of the needs of litigants, punctual in carrying out justice, and true in his reading and application of the law. As a practitioner, this is all I can ask of the judiciary and the state would be well served to add Senior Water Master Block to its roster of jurists.

Please do not hesitate to contact me further with any questions.

Sincerely,

Graham J. Coppes