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Attn: Rob Bird  
Delivered by Electronic Mail to [rbird@mt.gov](mailto:rbird@mt.gov)

**RE: In support of the appointment of William C. Fanning as Associate Water Court Judge**

December 29, 2024

To Whom it May Concern,

I am a licensed Montana attorney and have practiced for 15 years before the Montana Water Court. In my practice, I have appeared before, alongside, or against each candidate other than Mr. Block, whom I assume is well qualified. I hold each remaining candidate in high esteem and have found them to be intelligent, competent, and dedicated attorneys and Water Masters. However, William C. Fanning stands out from the field and is most worthy of my strongest recommendation.

I first met Mr. Fanning over a decade ago as a legal intern with my current employer. Since then, I have observed his career with admiration and have come to rely on Mr. Fanning as a reliably objective sounding board for complex legal issues before the Water Court. Likewise, I have tracked many of his cases as a neutral observer and, whether or not I agreed with his clients' positions, Mr. Fanning always made well-reasoned arguments based solidly in the law.

While each of the candidates has earned my respect and admiration, Mr. Fanning stands out as a private attorney with several years' experience as a Water Master. As a private attorney, he represents a wide variety of clients, often difficult personalities, yet he has competently managed complex cases before the Water Court, district courts, and the Montana Supreme Court. While his time both as a Water Master and in private practice have familiarized Mr. Fanning with Water Court policies and procedures, he is not held captive by its cultural constraints. As a court of limited jurisdiction and tight focus, with tight legislature-imposed deadlines, efficiency occasionally overrides objectivity.

In the coming years, the Water Court faces a difficult challenge of finishing the statewide adjudication while transforming itself into new roles, where it must be responsive to Montanans beyond claimants, objectors, and attorneys of the water bar. I believe Mr. Fanning's experience both within and outside of the Water Court positions him to serve as an effective, objective, and hard-working Associate Water Judge and to help lead the Water Court into a new future. Thank you for the opportunity to participate in the process.

Sincerely,



Patrick A. Byorth

