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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. In this letter, I will make my case for why William (Bill) Fanning should be considered for the Associate Water Judge position.

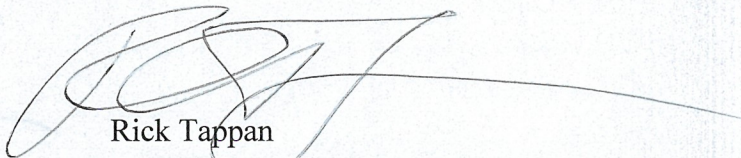
As identified in my letter of support for Bina, I am a water law practitioner with over ten years of experience in private practice working primarily on water-related cases in multiple venues – district court, administrative proceedings, and, importantly here, the water court.

My first encounter with Bill was on opposite sides of a water abandonment dispute in the water court many years ago. Bill represented the holders of the water rights and I represented the objector. Bill was a formidable advocate for his clients and made me do my homework; however, he was always cordial and composed in our correspondence and eventual settlement. Since that time, I have worked on many complex water cases with Bill and have found his insights, understanding, and consistent application of water law both refreshing and responsible. It's easy for practitioners to indulge whipsaw legal positions from one client to another; it's much more difficult to consistently apply the law while also advocating each client's position. This is something Bill excels at and is a powerful reason for his nomination to Associate Water Judge.

Bill has a background in classical studies and as a high school teacher. Both experiences have helped form his demeanor with both colleagues and clients and magnify his calm and considerate personality. Bill's experience representing a spectrum of water users from ranchers and farmers to irrigation districts, supply companies, and subdivisions has also informed his practice and understanding of water law and the challenges each user faces on a day-to-day basis. Whether grappling with instream rights, storage water and service areas, or amicable splits of interest between landowners, Bill endeavors to understand the law and navigate his clients through the sometimes murky waters with consistent interpretations of law and measured arguments.

Bill's prior experience managing and mentoring kids and adults, current experience representing clients in various venues, deep understanding of Montana water law and prior appropriation doctrine, and his measured and calm demeanor uniquely position him for success at the Water Court. I enthusiastically and unreservedly endorse Bill Fanning for Associate Water Judge.

Respectfully,

A handwritten signature in black ink, appearing to read 'RT', with a long horizontal line extending to the right.

Rick Tappan

Tappan Law Firm, PLLC