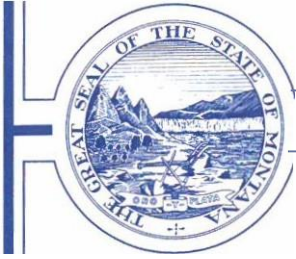


MONTANA WATER COURT



STATE OF MONTANA

(406) 586-4364
1-800-624-3270

PO BOX 1389
Bozeman, MT 59771-1389

September 5, 2024

Via email

Chief Justice Mike McGrath
Montana Supreme Court
215 N. Sanders Street
Helena, MT 59601

Re: Application for Chief Water Judge, Montana Water Court

Chief Justice McGrath:

Please accept this letter and the enclosed resume as my application for appointment to the position of Chief Water Judge of the Montana Water Court.

For nearly six years it has been my privilege to serve the citizens of Montana as the Associate Water Judge and to work as a colleague of Judge Russ McElyea. Judge McElyea has been a fantastic mentor and partner. I share his commitment to accomplish Montana's comprehensive water rights adjudication in a manner that is fair, accurate, and structured to stand the test of time. While the adjudication has been a long road, the Water Court – in large measure through Judge McElyea's leadership – is positioned to complete the adjudication. It would be an honor to continue this critical work as Chief Water Judge.

Several attributes qualify me for this position. As Associate Water Judge, I work closely with Judge McElyea, Sara Calkins, and the entire Water Court team to manage the Court's docket efficiently and consistent with the objectives of the adjudication. I maintain an active caseload that includes numerous evidentiary hearings and many motions and other filings. I travel around Montana to conduct proceedings and attend meetings, and thoroughly enjoy opportunities to engage with water users and the public in their home communities. I hold in high regard the attorneys who make up Montana's water bar. I also respect the work done by the many self-represented parties who appear before the Court.

While most of my work involves a steady docket of active adjudication-related cases, I also address other types of cases. These include Montana Administrative Procedure Act appeals, District Court certification cases, certifications from Department of Natural Resources and Conservation contested cases, and ownership issues arising out of property transactions involving

water rights. I wrote the decisions approving the Blackfeet Tribe's water compact and off-reservation settlements. I currently preside over the litigation involving the Confederated Salish and Kootenai Tribes' compact. I also authored several orders to clarify issues of statewide procedural importance, including clarification of the water rights tabulation process to assist the district courts. I participate in the Adjudication Advisory Committee meetings, provide information to the Comprehensive Water Review process, and present material to the Legislature's Water Policy Interim Committee. I give annual Water Court updates at various seminars and in national publications. Additionally, I regularly mediate water-related cases.

The Water Court cannot perform its work without the assistance provided by DNRC. I strive to develop strong working relationships with DNRC's management and staff and appreciate their work, whether it be technical assistance in individual cases, managing the centralized record system, or improving decree issuance procedures. My understanding of DNRC's critical role and my existing relationships puts me in a position to seamlessly continue the important interaction between the two organizations.

My days in private practice are a final piece of my background that I believe is relevant to stepping into the role of Chief Water Judge. In addition to a substantial practice before the Water Court, I served in management and leadership roles for a respected Montana law firm for many years. The organizational and interpersonal skills I gained have been valuable in my time with the Court and I will continue to draw from this experience if appointed.

It has been the highest privilege of my professional career to serve as a judge with the Water Court. I remain committed to the Court's work and its importance to Montana's future. I would welcome the opportunity to continue my service as Chief Water Judge.

Thank you for considering this application. I am happy to provide any additional information or answer any questions.

Sincerely,



Stephen R. Brown