

From: amanda.knutesonlaw.com
To: [Bird, Rob](#)
Subject: [EXTERNAL] Public Comment/Letter of Support for Chief Water Judge Stephen R. Brown
Date: Thursday, March 20, 2025 11:20:49 AM

March 20, 2025

To: Chief Justice Cory Swanson
Montana Supreme Court
c/o rbird@mt.gov

Re: Letter in Support of Judge Stephen R. Brown's Appointment as Chief Judge of the Montana Water Court

Dear Chief Justice Swanson:

I am writing in support of Judge Stephen R. Brown's reappointment as Chief Water Judge of the Montana Water Court. I previously sent similar letters in support of Judge Brown's reappointment as Associate Water Judge and his interim appointment as Chief Water Judge last year. I am grateful to have another opportunity to voice my support for Judge Brown. For the same reasons I outlined in previous letters, detailed below, I believe Judge Brown would make an outstanding Chief Water Judge.

While Judge Brown's accomplishments in private practice, as a long-time law professor and legal scholar, and as an Associate and as Chief Judge on the Water Court stand on their own, I am grateful to have this opportunity to share some of the reasons I hold Judge Brown in such high regard and why I believe he should continue in his role as Chief Judge now.

I have known Judge Brown for fourteen years, first as my law professor, then as an advocate, mentor, and friend who on countless occasions has generously shared the benefit of his extensive experience and wise counsel on matters both personal and professional over my first decade+ in the legal profession. In all roles, Judge Brown has demonstrated unrelenting integrity, patience, fairness, and steadfast adherence to the highest ethical standards both in private practice and in his recent years of public service as a Judge. He has a rare gift for bringing out the best in others, and for effectively guiding others toward reason, even under the most stressful and contentious circumstances. This latter trait is one of the most critically important for any Judge, but one which can be elusive in our competitive profession. I have never known another attorney to demonstrate this specific kind of leadership more consistently or effectively than Judge Brown.

Judge Brown's technical and hard science background, expertise in natural resources and environmental law in general, and in water law in particular, is widely recognized on a national scale. Montana is fortunate that a respected legal scholar and water law expert such as Judge Brown has elected to serve our community and our environment as a Judge on our Water Court these past several years, particularly when his expertise would be in such high demand in the private sector as Montana experiences unprecedented growth and mounting pressures on our treasured--and finite--water resources.

While I do not practice before the Water Court, I am a longstanding member of the Montana State Bar's Water Law Section and have attended most, if not all, water-related CLEs offered in Montana over the past decade. Judge Brown has freely given his time to educating his colleagues at nearly every Water Law Section meeting and event; his presentations are always extremely well organized, timely and relevant. I also read Water Court decisions, as water rights matters are tangential to my practice, so I have some familiarity with Judge Brown's work as a water Judge. I am aware that he has distinguished himself in that capacity just as he did as an expert water attorney in private practice, and as he continues to do as a law professor at University of Montana School of Law, and I appreciate his thoughtful, concise, and articulate opinions.

From a practical perspective, Judge Brown has promoted and implemented many innovations and improvements within the Water Court which have enhanced interactions both for attorneys and for members of the public. His dedication to adapting the Water Court to the most current software, technology, legal databases, and digital practices has increased transparency and accessibility of filings and decisions on issues of statewide importance. Water Court case information and decisions are no longer the domain of the relatively few water law experts in Montana, but are now accessible to all of us with properties, businesses and recreation interests subject to the Court's rulings. These advances, which have occurred primarily during Judge Brown's tenure as Associate Water Judge and, more recently, as Chief Judge, have undoubtedly helped unrepresented parties in their efforts to understand and to more effectively participate in proceedings related to their water rights, to the benefit of all. I am certain Judge Brown would continue to research and implement technologies and court practices that would further enhance access to Water Court proceedings and documents, should he be appointed to continue in his current role as Chief Water Judge.

Finally, I would like to emphasize Judge Brown's even-keeled temperament and commitment to fairness in all his dealings. I had many opportunities to witness Judge Brown's aptitude for managing even the most difficult or antagonistic personalities when he was in private practice, in the years preceding his transition to the Water Court. Judge Brown simply does not abide gossip, pettiness, incivility, or other antics geared toward distracting him from the legally relevant facts and issues at hand. I imagine his reputation for impassivity even when confronted with provocative behavior serves the Water Court well, as tensions can run high where such critical property rights are

concerned and so many are now competing for limited water resources.

For all the reasons above and for many more I wish I had time to share, I wholeheartedly support Judge Brown's reappointment to his current role as Chief Water Judge. I sincerely hope you will allow him to continue in his expert service to our beautiful state and water resources through this distinguished judicial leadership role.

Sincerely,

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