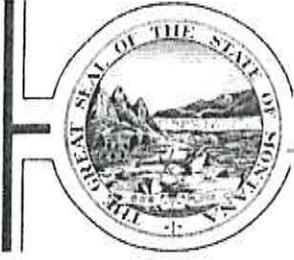


MONTANA WATERCOURT



STATE OF MONTANA

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

PO BOX 1389
Bozeman, MT 59771-1389

March 31, 2021

Sent via Email:

Honorable Mike McGrath
Chief Justice, Montana Supreme Court
mmcgrath@mt.gov

RE: Application for Chief Water Judge

Dear Justice McGrath,

My term as Chief Water Judge expires July 31, 2021. After much hard work by court staff, we are on the threshold of issuing our first final decrees. This is an exciting time for the court, and I am interested in remaining part of the adjudication process. Please consider this letter my application for another term as Chief Water Judge.

Thank you for the opportunity to serve the people of Montana.

Regards,

A handwritten signature in cursive script that reads "Russ McElyea".

Russ McElyea

Cc:

Beth McLaughlin, Court Administrator: bmclaughlin@mt.gov
Honorable Stephen R. Brown, Associate Water Judge: stephen.brown@mt.gov
Sara Calkins, Water Court Administrator: sara.calkins@mt.gov

to expedite and facilitate the adjudication of existing water rights.
CH.697 L. 1979

"AN EQUAL OPPORTUNITY EMPLOYER"

Russ McElyea

WORK EXPERIENCE

| | |
|--|-----------------------|
| State of Montana | |
| Chief Water Judge | Sept. 2013-present |
| Associate Water Judge | July 2012- Sept. 2013 |
| Moonlight Basin | |
| Chief Operating Officer | Dec. 2008-June 2012 |
| General Counsel | Sept. 2006-Dec. 2008 |
| Moore, O'Connell & Refling | |
| Attorney; Partner | June 1989- Sept. 2006 |
| Telluride Ski Resort | |
| Project Manager; Director of Ticket and Resort Sales | June 1984-Aug. 1986 |

EDUCATION

Northern Arizona University, Flagstaff, AZ 1984, B.Sc., Economics
University of Colorado, Boulder, CO 1989, Juris Doctor

PUBLICATIONS

- *The Case for Private Instream Appropriations in Colorado*, 89 Colo. L. Rev. 1087 (1989)
- *The Impact of the Adjudication Process on Real Estate Transactions*, State Bar of Montana
- *The Montana Water Rights Adjudication*, The Water Report, Issue 134, 2015
- *The Public Trust Doctrine in Montana*, State Bar of Montana
- *Montana Water Law*, a book co-authored with Judge Stephen R. Brown and Professor Michelle Bryan.

TEACHING EXPERIENCE

I taught contract law at the University of Colorado School of Business for two semesters and water law at the Montana State University College of Engineering for four semesters. I have lectured at both MSU and the University of Montana Law School on various subjects and have taught many continuing legal education classes.

LEADERSHIP EXPERIENCE

I have had leadership positions in businesses including real estate development, ski resorts, horizontal and vertical construction, a law firm, restaurants, real estate sales, lodging companies, and private water and sewer utilities. I have also held leadership positions in several non-profit organizations. I presently supervise a staff of twenty-five people at the water court.

BUSINESS EXPERIENCE

I am familiar with budgeting, financial reporting, performance measurement, entity formation and structure, contract negotiation, marketing, tax strategy and planning, human resources, business acquisitions and sales, entity and project financing using debt and equity, loan underwriting, real estate development and entitlements, risk evaluation and management, and formulation of insurance coverage strategies. I have also operated businesses subject to complex government regulation and oversight.

PERSONAL

My passions outside work include skiing, hunting, shooting, hiking, reading, learning of all kinds, being married to an amazing person, and friends.