

MADELEINE WEISZ

PHONE (406) 577-7753 E-MAIL mweisz@mt.gov

Montana Water Court, Senior Water Master, 1123 Research Dr., Bozeman, MT 59718

November 8, 2024

Via email

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

Re: Application for Associate Water Judge, Montana Water Court

Montana Supreme Court Chief Justice:

Please accept this letter and the attached resume as my application for the position of Associate Water Judge of the Montana Water Court.

I started at the Montana Water Court in 2014 as a law clerk for Chief Water Judge Russ McElyea. I was promoted to Water Master soon after, and earned the title of Senior Water Master in 2019. During my time at the Water Court, I have had the privilege of learning from and working with Chief Water Judge McElyea and Associate Water Judges Douglas Ritter and Stephen Brown. For over ten years, under the guidance and mentorship of Judge McElyea, Judge Ritter, and Judge Brown, I have had the opportunity to participate in Montana's comprehensive water adjudication as both a Water Master and as a Mediator.

As a Water Master, my responsibilities include working in conjunction with the DNRC to prepare water basins for decree issuance; hosting public meetings to explain the adjudication process to water users; consolidating water rights into cases for resolution of objections and issue remarks; presiding over status conferences, scheduling conferences, and prehearing conferences; ruling on motions; holding hearings; and making recommendations to the Water Judges.

As a Mediator, I assist parties in resolving their differences in Water Court cases. I have successfully mediated many water rights cases. In 2023, Judge Brown appointed me to serve as the Mediator in the Confederated Salish and Kootenai Tribes - Montana Compact Case. In the span of six months, I organized mediation sessions between the CSKT, the State of Montana, the United States of America, and over 1000 compact objectors. The mediation sessions were held in towns and cities throughout northwest Montana and led to the filing of over 60 settlement agreements.

Montana's water adjudication is robust and unique. As someone who has focused on water law since 1L year in law school, I know I am fortunate to be practicing water law in Montana. Montana's foresight and ambition in developing a process to finally decree all existing water rights throughout the state is unprecedented. In attending conferences held specifically for judges involved in water disputes in the western states, it is clear that Montana is a leader in water adjudication, as some states are only just beginning the process. With Judge McElyea at the helm for the last 12 years, the Water Court has picked up its pace and is on track to complete the adjudication in the foreseeable future. It has been an honor to be involved in Montana's water adjudication as a Water Master, and I aspire to bring my water law experience and my commitment to fairness and accuracy to the position of Associate Water Judge.

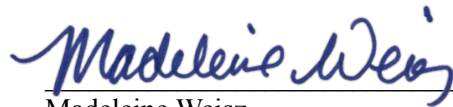
I am well suited and prepared for the position of Associate Water Judge. I am even-tempered and keep my composure under pressure. I address challenging legal questions through research, thoughtfulness, and common sense. I am an experienced legal writer, and strive for clear and concise orders. I get along well with my Water Court colleagues. I appreciate and respect the talented attorneys that practice before the Water Court. I am friendly and approachable when explaining the complex adjudication process to unrepresented water users.

I joined the Water Court within a month of graduating from law school, meaning my experience practicing law outside of the Water Court is limited. But I am lucky to have had a variety of life experiences prior to law school. I have worked as a raft guide, an outdoor instructor, a ski patroller, a nanny, a bartender, a ski coach, a gardener, etc. While it may not be obvious how these experiences relate to the position of Associate Water Judge, they have prepared me to engage with and listen to people from all walks of life, to have tenacity when things get tough, to pull my weight in a team setting, to be calm in stressful situations, and to understand the importance of perspective and leadership.

I have had the opportunity to work with Judge Brown during my entire time at the Water Court. Initially, he practiced before the Water Court when I was a Water Master and he was in private practice. More recently, we have worked together at the Court, after he seamlessly took on the role of Associate Water Judge in 2019. Judge Brown leads with confidence and kindness and I look forward to his tenure as Chief Water Judge. He is always gracious with his time and his guidance. Judge Brown and I get along well and have effective communication; we would make a strong team.

It is with great respect for the Montana Judiciary that I ask you to consider me for the position of Associate Water Judge of the Montana Water Court.

Sincerely,

A handwritten signature in blue ink that reads "Madeleine Weisz". The signature is fluid and cursive, with a prominent flourish at the end of the name.

Madeleine Weisz