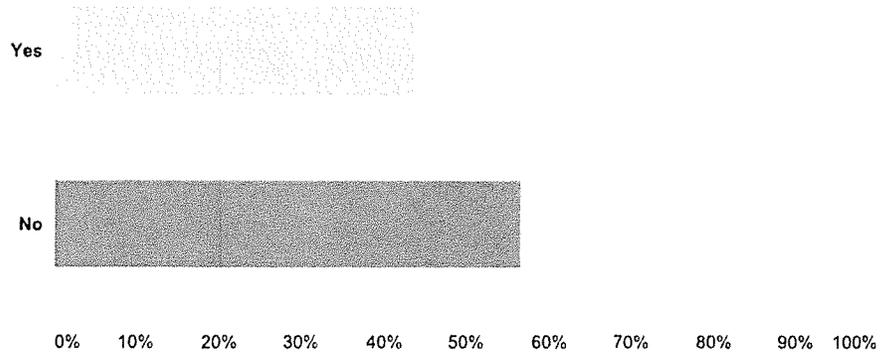


### Q1 Did you have any experience with water law prior to becoming a judge?

Answers: 30 | Page: 1

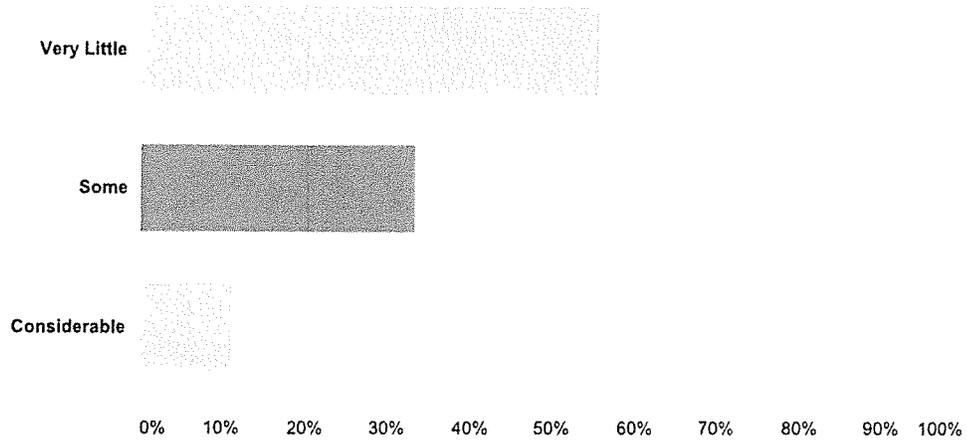


Answer Choices	Responses	
Yes	43.33%	13
No	56.67%	17
<b>Total</b>		<b>30</b>

#	Comments:	Date
1	as an attorney in private practice and an irrigator	2/22/2016 8:56 AM
2	Attorney for the Daly Ditches Irr. District & Supply Ditch as well as various water users	2/17/2016 10:12 AM
3	Basically as an attorney representing persons that filed claims	2/17/2016 9:01 AM
4	litigated injunction in district court	2/12/2016 11:21 AM
5	Was district judge in 4th jud. dist. before water courts were established and am familiar with ordeal, including calls at 5 am.	2/12/2016 10:42 AM
6	Limited	2/12/2016 10:13 AM

### Q2 If so, how extensive was that experience?

Answers: 18 (100%)

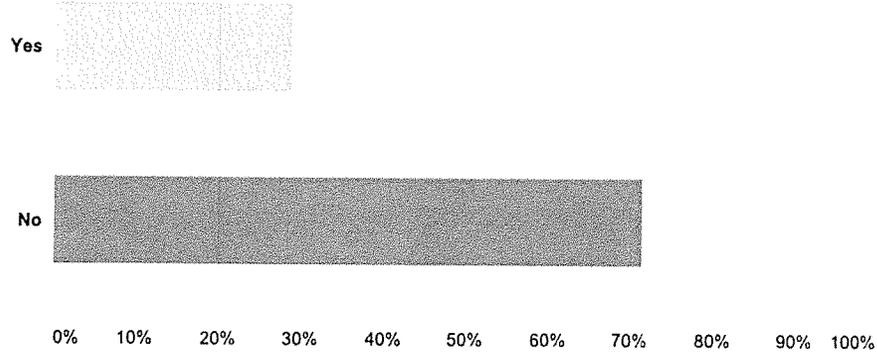


Answer Choices	Responses	
Very Little	55.56%	10
Some	33.33%	6
Considerable	11.11%	2
<b>Total</b>		<b>18</b>

#	Comments:	Date
1	seminar after election	2/12/2016 12:43 PM
2	Involved. Constant. First homicide between whites in Ravalli County was over water rights.	2/12/2016 10:42 AM
3	none	2/12/2016 10:10 AM

### Q3 Are you currently enforcing any District Court water decrees?

Answers: 11 | Skipped: 0



**Answer Choices**

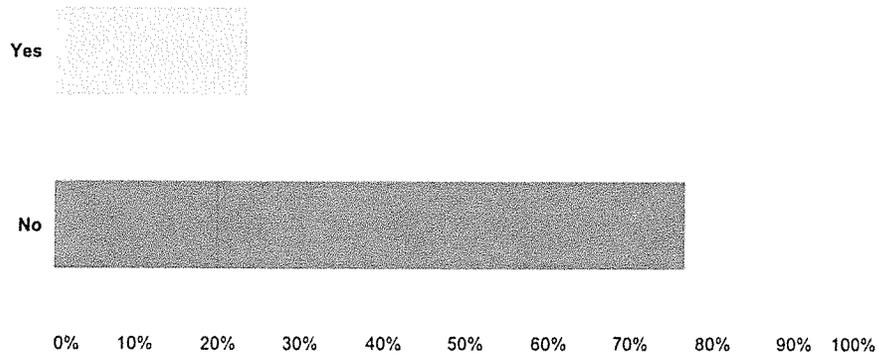
**Responses**

Yes	28.57%	8
No	71.43%	20
<b>Total</b>		<b>28</b>

#	Comments:	Date
1	I assume you mean a District Court decree establishing a water right. I have appointed and do supervise some water commissioners.	2/17/2016 1:57 PM
2	I haven't had this issue arise in five years.	2/17/2016 11:24 AM
3	Burnt Fork, COWELL v. JULIAN, Cause # 556	2/17/2016 10:12 AM

### Q4 Are you currently enforcing any Water Court decrees?

Answered: 30 (100%)



**Answer Choices**

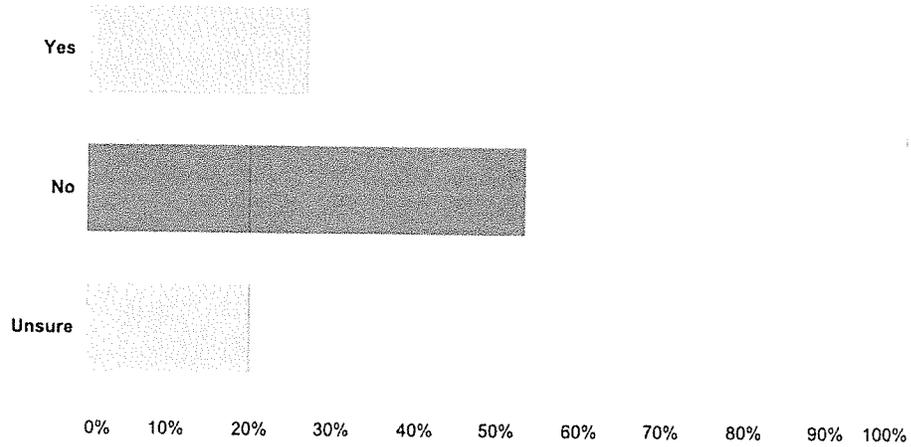
**Responses**

Yes	23.33%	7
No	76.67%	23
<b>Total</b>		<b>30</b>

#	Comments	Date
1	At least not aware of any; Clerk has not brought any to my attention.	2/17/2016 1:57 PM

### Q5 Do you want to retain responsibility for administration of water rights in the future?

100% (n=30) Responded

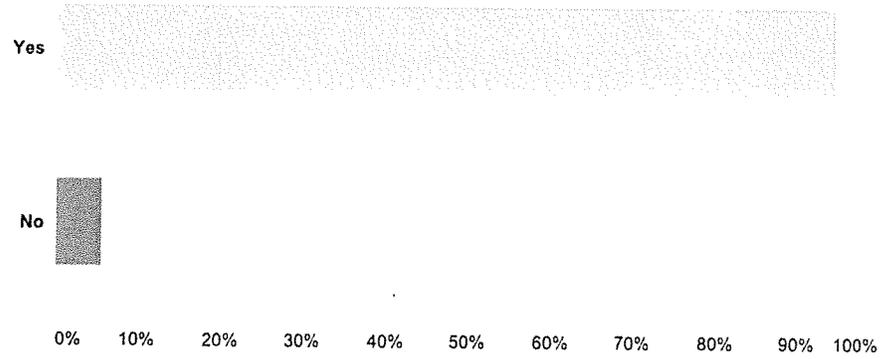


Answer Choices	Responses	
Yes	26.67%	8
No	53.33%	16
Unsure	20.00%	6
<b>Total</b>		<b>30</b>

#	Comments	Date
1	Not sure of the work demand	2/17/2016 1:57 PM
2	Since disputed issue seem to simmer over the winter months and then arise quickly as the irrigation seasons begins, any other admin. system would need the capability to respond (and resolve) in a prompt, timely manner	2/17/2016 10:12 AM
3	Better left to experts.	2/17/2016 8:41 AM
4	Think water courts are better equipped to deal with enforcement	2/12/2016 12:43 PM
5	Keep water court.	2/12/2016 10:42 AM

**Q6 If you favor retaining jurisdiction over water administration, would you like the ability to refer those cases to the Water Court?**

18 Responses (75%) (2/12/2016)



**Answer Choices**

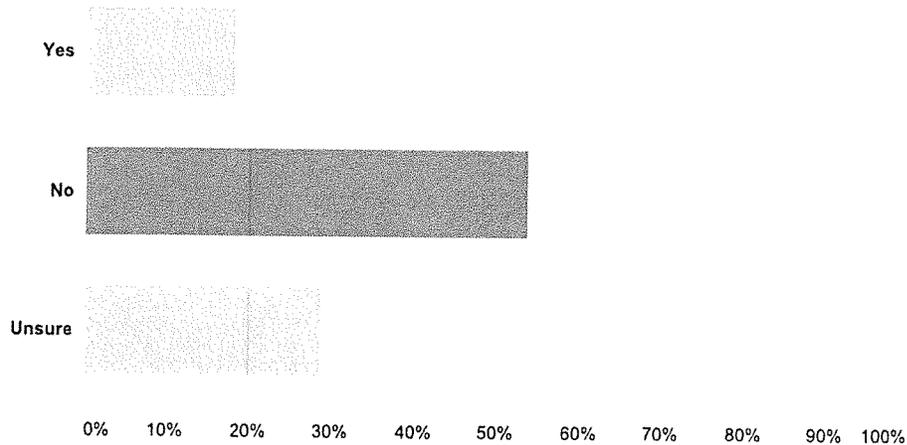
**Responses**

Yes	94.44%	17
No	5.56%	1
<b>Total</b>		<b>18</b>

#	Comments	Date
1	Absolutely.	2/12/2016 10:42 AM
2	Not sure	2/12/2016 10:13 AM

### Q7 Do you want to retain responsibility for appointment and supervision of water commissioners in the future?

Approved by: [Name] | Skipped by: [Name]

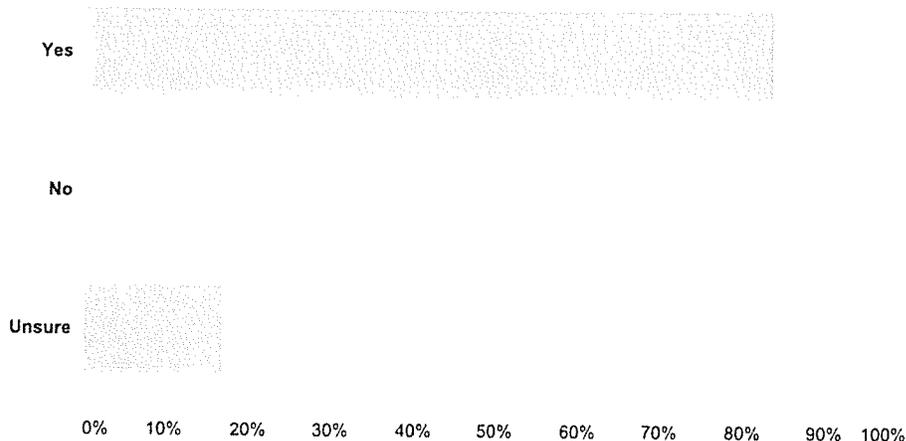


Answer Choices	Responses	
Yes	17.86%	5
No	53.57%	15
Unsure	28.57%	8
<b>Total</b>		<b>28</b>

#	Comments	Date
1	This is big problem on contentious streams	2/22/2016 8:56 AM
2	I like the work, but the inherent conflict between appointing and adjudicating between commrs and users is a problem	2/19/2016 3:07 PM
3	no real water in my district	2/18/2016 8:51 AM
4	Depends on workload; currently the supervision has not been much work	2/17/2016 1:57 PM
5	Am leaning toward DNRC training, hiring, and admin. of water commissioners	2/17/2016 10:12 AM
6	My water users are very insistent on keeping the appointment of the wter commissioiners local and prefer that be done by the District Court. If they were assured the Water Court would continue to appoint a local water commissioner, they may be satisfied with changing the appointment to the Water Court.	2/12/2016 5:41 PM
7	If I am charged with enforcement	2/12/2016 12:43 PM

**OR At present, Montana law contemplates that the Water Court cease to exist after the general adjudication is complete. Thereafter, all water cases will be heard by District Courts. Would you support a permanent Water Court to hear such cases?**

Answered: 10 Skipped: 0

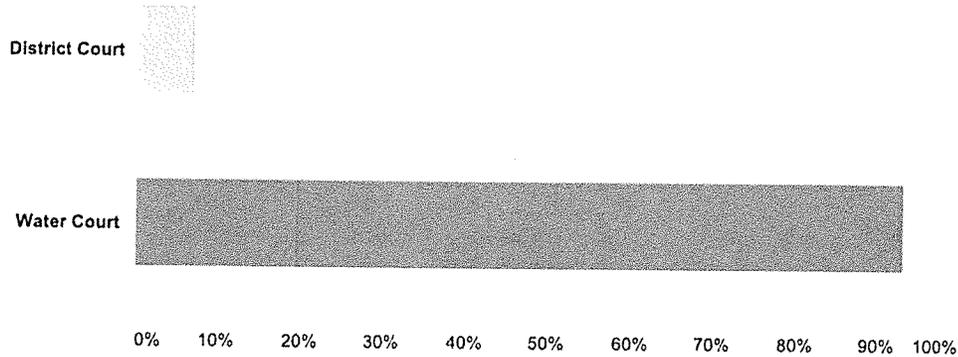


Answer Choices	Responses	
Yes	83.33%	25
No	0.00%	0
Unsure	16.67%	5
<b>Total</b>		<b>30</b>

#	Comments	Date
1	under the present construct, it appears the water court will not ever be able to finish	2/19/2016 3:07 PM
2	Perhaps shared jurisdiction in some form over distribution issues only (adjudication issues remain solely with water Court)	2/17/2016 10:12 AM
3	Absolutely!	2/12/2016 12:43 PM

**Q8 The legislature may decide to put the Department of Natural Resources and Conservation in charge of future water rights enforcement. If this happens, it is likely agency decisions will be appealed to a court. Should those appeals be heard by District Courts or the Water Court?**

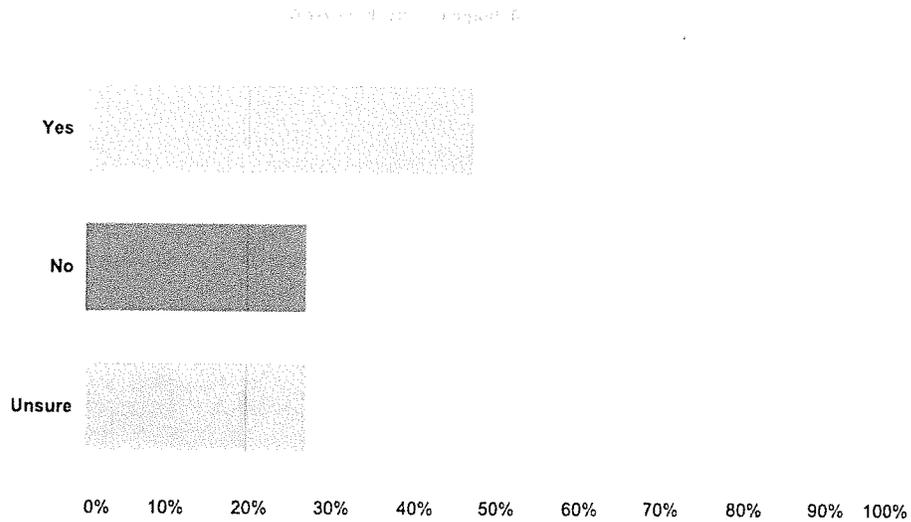
Answers: 29 - Skipped: 0



Answer Choices	Responses	
District Court	6.90%	2
Water Court	93.10%	27
<b>Total</b>		<b>29</b>

#	Comments	Date
1	under present arrangements, water court appears to be the proper forum	2/19/2016 3:07 PM
2	The water court judges are far more versed in this area of law and unique and often complex issues that arise in such cases and are thus better suited, in my opinion, to efficiently and competently resolve such cases.	2/17/2016 5:42 PM
3	The Legislature will have to establish additional judges in the First Judicial District Court if these cases will be appealed to district court.	2/17/2016 11:42 AM
4	Unsure. District Courts may be able to handle water distribution issues, or share JRD with the Water Court. Adjudication appeals should go to the Water Court only.	2/17/2016 10:12 AM
5	Assuming it is an independent judicial body.	2/12/2016 10:42 AM

Q10 At present, there are four division water judges who are also sitting District Court judges. The role of these division water judges could be expanded so that they hear all water right disputes in their division. While this would require further study, do you think the idea of four division water judges with the responsibility to hear all water right disputes in that division has merit?



Answer Choices	Responses	
Yes	46.67%	14
No	26.67%	8
Unsure	26.67%	8
<b>Total</b>		<b>30</b>

#	Comments	Date
1	I would want to hear the experience of the division water judges and their take on this issue before stating a position.	2/19/2016 3:17 PM
2	See previous response.	2/17/2016 5:42 PM
3	Seems like these "district Court" judges would become de facto water court judges... Would they be elected from the entire region they represent? Would the Governor or Chief Justice appoint them to a region?	2/17/2016 10:12 AM
4	The water court is the best forum for this. Having the division water judges do it would make them unavailable for their regular district court duties requiring the creation of more district judgeships to pick up the workload. Leave it with the water court.	2/15/2016 11:59 AM