

*Based in Montana, Abby Brown is a member of the firm's environmental and natural resources team and water law practice groups. Abby draws on her extensive transactional and litigation experience in water rights and real property issues to provide comprehensive yet practical legal services that support clients' goals with a focus on sustainable results.*



## Abigail R. Brown

Shareholder | Helena

### Biography

Abigail R. Brown is a member of Parsons Behle & Latimer's environmental and natural resources team and the firm's water law practice groups. She has more than a decade of experience representing a diverse range of water users, from small individual family farms to large irrigation districts, in water law and real property matters. Ms. Brown holds an L.L.M. in Water and Environmental Law from McGeorge School of Law, where she focused on contemporary water law and environmental issues facing the greater Intermountain West region.

In her water law practice, Ms. Brown represents water users through all stages of water rights adjudication proceedings in the Montana Water Court, water rights distribution and enforcement conflicts in state district courts and administrative permitting in state agencies. Ms. Brown also represents clients in a wide range of transactional matters, including water rights due diligence investigations for clients' existing water portfolios or for clients who are purchasing water rights or real property with appurtenant water rights.

As a conflict resolution professional, Ms. Brown offers mediation, facilitation and conflict coaching services to water users as an alternative to litigation or in connection with potential settlement discussions in existing litigation. She is a conflict resolution facilitator, often partnering with other organizations to facilitate community dialogues and stakeholder meetings to address business, organizational, community and local government conflicts.

Outside of her legal career, Ms. Brown and her spouse Collin spend their time adventuring with their two little boys and

### Contact information

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### Capabilities

Agriculture

Water Rights, Quality & Infrastructure

Real Estate

Environmental & Natural Resources

### Licensed/Admitted

Montana

U.S. Dist. Court, Dist. of Montana

Wyoming

Utah

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seeking out the best creek-side campsites in the Intermountain West.

## Experience

### Montana Water Adjudication Representation

Represents dozens of water rights owners located throughout Montana in most hydrological basins subject to ongoing adjudication by the Montana Water Court against claims of abandonment, non-perfection and challenges to every possible element of a water right. Clients include individual farmers, family ranches, corporations, irrigation districts and water supply companies.

## Accomplishments

### Professional

Member, Montana Department of Natural Resources & Conservation Comprehensive Water Review Stakeholder Working Group (2022 – present)

Voting Member, Water Adjudication Advisor Committee for the Montana Water Court (2021- - 2023)

Judicial Law Clerk, Retired Justice Patricia O. Cotter, Montana Supreme Court (2010 - 2011)

### Academic

University of the Pacific—McGeorge Law School, L.L.M. in Water and Environmental Law (2021)

University of Montana Law School, J.D. with Honors (2010)

University of Montana, M.A., Intercultural Youth and Family Development (2006)

Thesis: Coming to the Table: *Peacemaking and Truancy Rates in Schools with a High Enrollment of American Indian Students* (May 2006)

Northwestern University, B.S.Ed., in Education and Social Policy (2001)

## Associations

### Professional

State Bar of Montana, Water and Natural Resources Law Sections, Co-founder of Water Law Section (2016)

- Immediate Past Chair, Water Law Section (2019-2020)
- Chair (2018 - 2019)
- Vice Chair, Water Law Section (2017-2018)

American Bar Association, Environment, Energy & Resources Section (SEER)

The Foundation for Natural Resources and Energy Law formerly known as Rocky Mountain Mineral Law Foundation

Standing Committee on Self-Represented Litigants, Montana Supreme Court's Access to Justice

- Co-Chair (2016-2018)

### Community

Montana Department of Natural Resources & Conservation, Comprehensive Water Review Stakeholder Group (SWG) member, (Judiciary and Final Decrees sub-working group) 2023-2024)

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Helena Public Montessori Parents, Inc., Board Treasurer (2022 – present)

YWCA Helena

Trust Montana

U.S. Peace Corps (Malawi, 2001-2003)

## Articles

“Climate Change & Water Law,” *The Water Report*, Sept. 14, 2020

“Adjudication & Historical Use: Gathering and Preserving Evidence of Historical Use in Montana’s Statewide Adjudication of Water Rights,” Feb. 15, 2018

“Water Justice Under the Big Sky: Locating a Human Right to Water in Montana Law,” *Vol. 45 Public Land & Natural Resources Law Review* 42, Spring 2022

“Water Law and Climate Change,” *The Water Report*, Sept. 2022

“Common Mistakes in Real Property Transactions Involving Water Rights,” *Annual Real Estate Section Annual Continuing Education Seminar* (Fairmont Hot Springs Resort, Montana) Feb. 16, 2018

## Presentations

“The Prior Appropriation Doctrine 101: Background, History, Overview,” United States Environmental Protection Agency Headquarters staff, Dec. 28, 2021

“Starting a Law Firm,” Law Practice Bootcamp, The State Bar of Montana RILP Program, May 12, 2021

“Abandonment Law in Montana: Gathering and Preserving Evidence,” 17th Annual Montana Water Law Seminar, The Seminar Group (Helena, Montana) Sept. 28, 2017

“Ethics of Advising Recreationist Clients,” Montana Stream Access Symposium, Alexander Blewett School of Law, Missoula, Montana, Mar. 16, 2018

“Managing a Water Law Practice,” 18th Annual Montana Water Law Seminar, The Seminar Group, Oct. 6-7, 2018

“Mediation & Settlement Negotiations,” 19th Annual Montana Water Law Seminar, The Seminar Group, Sept. 17-18, 2019

“Notice Requirements & the Scope of Participation in the Montana Water Court,” Sept. 9-19, 2020

“Real Estate Perspectives on Water Law,” Annual Montana Water Law Seminar, The Seminar Group, Sept. 28-29, 2021

“Water Law and Climate Change: How might water law respond to climate change?” 22nd Annual Montana Water Law Seminar, The Seminar Group, Helena, Montana, Oct. 5-6, 2022

\*To view additional insights and related news items, visit [parsonsbehle.com/people/abigail-brown#insights](https://parsonsbehle.com/people/abigail-brown#insights)

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