

# GENERAL

## 18. Water Court

### Water Court Order Only:

This Court applies the same standards of review to decisions of the Water Court as it does to decisions of a district court. We review the Water Court's findings of fact to determine if they are clearly erroneous. We review the Water Court's conclusions of law to determine if they are correct. [In re Crow Water Compact](#), 2015 MT 217, ¶ 19, 380 Mont. 168, 354 P.3d 1217.

### Water Court Order & Water Master's Report:

In a case involving both a Water Master and the Water Court, two standards of review are applicable: the standard the water judge applies to the Master's report and the standard we apply to the Water Court's opinion. The Water Court reviews the Master's findings of fact for clear error and the Master's conclusions of law to determine whether they are correct. Applying these standards of review, the water judge may adopt, modify, or reject the Master's report, in whole or in part, or may receive further evidence or recommit it with instructions.

We review the Water Court's order de novo, to determine whether it correctly applied the clear error standard of review to the Master's findings of fact and whether its conclusions of law were correct. Whether the standard of review was applied correctly is a question of law. We review the Water Court's findings to determine whether they are clearly erroneous. [Skelton Ranch, Inc. v. Pondera County Canal & Reservoir Co.](#), 2014 MT 167, ¶¶ 25-26, 375 Mont. 327, 328 P.3d 644.