



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Attorney General Hilgers Announces Supreme Court Will Hear Nebraska's South Platte River Compact and Perkins County Canal Claims

Lincoln—Attorney General Mike Hilgers announced today that the United States Supreme Court has agreed to hear Nebraska's claims that Colorado has violated the South Platte River Compact and has improperly interfered with Nebraska's right to develop the Perkins County Canal.

"Nebraska will finally have the opportunity to prove that Colorado has violated the Compact and to hold Colorado accountable for depriving Nebraska of water that rightfully belongs to our state," said Attorney General Mike Hilgers

Nebraska alleges that Colorado has violated the Compact by allowing junior water users to intercept water that belongs to Nebraska during the irrigation season. Nebraska also seeks resolution of disputes concerning Colorado's interference with Nebraska's right to construct and operate the Perkins County Canal, a project expressly authorized by the Compact.

Nebraska alleges that Colorado's administration of augmentation plans has allowed thousands of junior groundwater wells to operate at the expense of Nebraska's senior Compact rights. The State estimates these violations have deprived Nebraska of more than one million acre-feet of water since the Compact was signed.

"Nebraska is determined to preserve and protect every drop of water to which it is entitled under the Perkins County Canal Compact. Today's order from the U.S. Supreme Court makes clear that Nebraskans will have a venue for these important claims," stated Governor Jim Pillen.

"I have been a strong champion of the Perkins County Canal project from my first day as Governor. In my first budget I added significant extra funding to expand its capacity to benefit western Nebraska farmers and producers, and am glad to see this progress on the legal front. Thanks to Attorney General Hilgers and his team for carrying Nebraska's claims into the highest court in the land," continued Governor Jim Pillen.

"This case is about enforcing the Compact as it was written," Hilgers said. "Nebraska intends to stop these violations, recover appropriate relief for the water it has lost, and ensure Colorado honors its obligations going forward."

Hilgers said resolving the Canal issues will provide important legal certainty as Nebraska continues developing the Perkins County Canal to fully realize the benefits guaranteed under the Compact.

The Supreme Court will appoint a Special Master to oversee the proceedings, conduct hearings, and submit recommended findings to the Court.

"This lawsuit is about protecting Nebraska's water users and ensuring agreements between states are honored," Hilgers said.

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