



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

October 29, 2025

Nebraska Continues Legal Fight Against Colorado Over Water Rights

LINCOLN--Attorney General Hilgers announced today that Nebraska has continued its legal actions to enforce the South Platte River Compact and clear the way for construction of the Perkins County Canal. Nebraska is asking the U.S. Supreme Court to reject Colorado's request to table the states' dispute over the South Platte River Compact.

Nebraska and Colorado signed the South Platte River Compact in 1923. The Compact was approved by both states' legislatures, ratified by Congress in 1926, and has the force of federal law. This summer, Nebraska sued Colorado to enforce Nebraska's irrigation rights and clear the way to construct the Perkins County Canal, both of which the Compact guarantees. In response, Colorado told the Court that Nebraska's case was premature.

Nebraska filed its initial motion seeking the Supreme Court's intervention on July 16, 2025. Colorado responded on October 15, 2025, claiming that Nebraska and Colorado have no present dispute over the Canal because Nebraska has not built it yet. As a result, the Nebraska Attorney General's Office has continued its legal actions in order to ensure that the Compact is fulfilled, and the Perkins County Canal is built in a timely manner.

Of course, Colorado wants more time," said Attorney General Hilgers. "Time only benefits them as they violate our rights under the Compact. Nebraska cannot afford more time—we are losing our water right now, and Colorado is obstructing Nebraska from accessing our non-irrigation season supplies via the Canal. Our reply outlines why Colorado's response is wrong. We have requested the Court reject Colorado's tactics and allow Nebraska to proceed swiftly to the merits and enforce our Compact rights in order to remedy the breaches that are occurring today."

It is anticipated that the Court will review the parties' briefs and act on Nebraska's request for review in the coming months.

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Court Filing Attached

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