



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Nebraska Sues Colorado over Rights to South Platte River in U.S. Supreme Court

LINCOLN –Attorney General Hilgers and Governor Pillen announced today that Nebraska has sued the State of Colorado to enforce the South Platte River Compact and clear the way for construction of the Perkins County Canal.

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. The Compact limits certain Colorado uses and defines how much water Nebraska is to receive from the river in both the summer (irrigation) season and the winter (non-irrigation) season.

Colorado is currently threatening Nebraska's water supply of the South Platte River in at least two ways. First, Colorado allows unlawful water diversions that have deprived Nebraska of its right to water during the irrigation season. Second, Colorado is obstructing Nebraska's efforts to construct the Perkins County Canal.

The U.S. Supreme Court has original jurisdiction regarding disputes between states. The Court's intervention is needed to stop Colorado's violations of the South Platte River Compact and to resolve what has turned into an irreconcilable conflict over the design and operation of the Perkins County Canal.

"Today's action will ensure that Nebraska receives all the water to which it is entitled to under the Compact and that Nebraska's agriculture and economy are protected. Our suit has two basic elements: First, it challenges Colorado's ongoing, unauthorized overuse of Nebraska's water during the summer and the rationale Colorado uses to justify it. Second, we challenge Colorado's efforts to obstruct the construction of the Canal and prevent Nebraska from accessing the additional water Nebraska is entitled to in the South Platte River Compact. Water is the essential lifeblood of Nebraska's economy, and it's my goal to protect one of the state's most important assets," stated Attorney General Mike Hilgers.

Governor Pillen added, "Today's action comes only after we made every reasonable effort to resolve our differences with Colorado. Ultimately, Nebraska must push forward to secure our water for future generations. Although we hoped to avoid a lawsuit, we are confident we remain on schedule to complete the Perkins County Canal by 2032."

Colorado is now required to answer Nebraska's claims, and the U.S. Supreme Court will later decide how to proceed.

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Video and radio message available [here](#). Court filing and press conference video will be available after the conference.

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