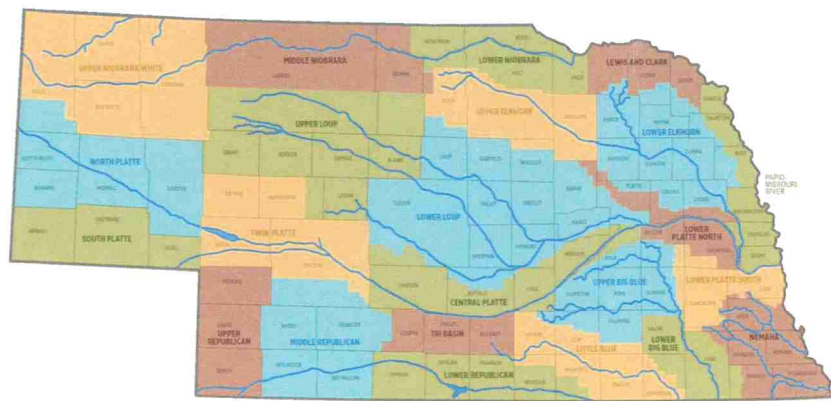


# 2026 NARD Basin Tour



## South Platte Basin & Perkins County Canal

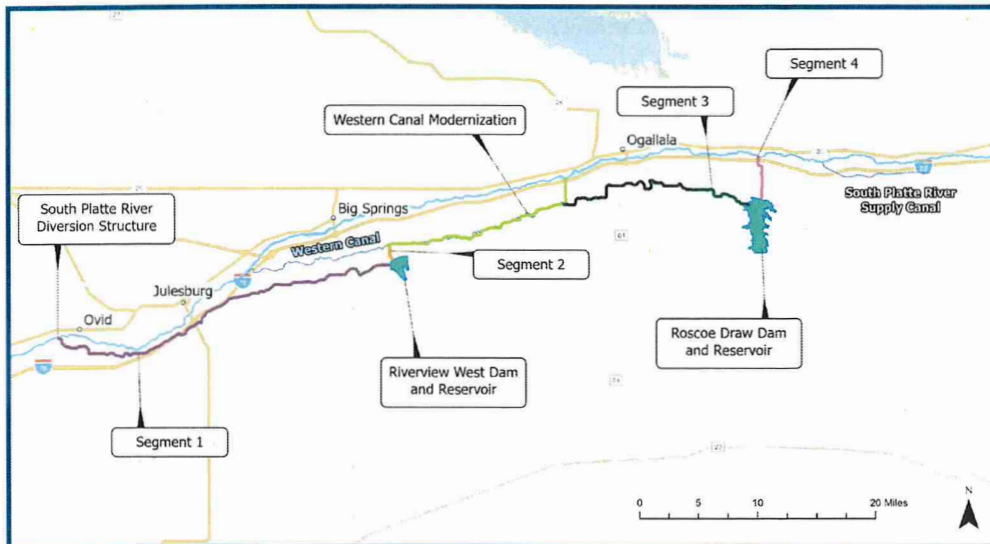
# Perkins County Canal & South Platte Update

March 2026

## SECURING NEBRASKA'S WATER RESOURCES

Securing Nebraska's water is essential to the state's economic prosperity and long-term welfare. Through the Perkins County Canal and enforcement of the South Platte Compact, Nebraska is actively protecting the environmental health of the Platte River Basin and advancing its full entitlement to river flows under the Compact.

## PROPOSED PERKINS COUNTY CANAL & RESERVOIR ELEMENTS



## RETURN ON INVESTMENT

The \$628 million investment in the Perkins County Canal and associated water storage reservoirs will generate more than three times that amount in statewide benefits.

### Cost



### Benefits



Source: LB1012 Report on DWEE website (Zanjero Analysis).

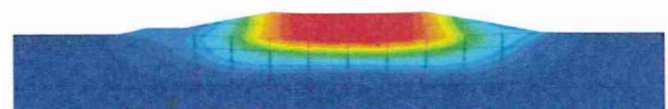
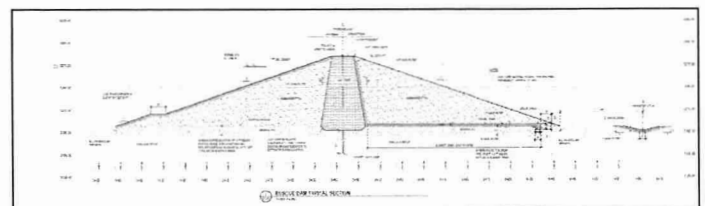


Soil samples are taken at reservoir sites in March 2025.

## PROGRESS UPDATE: AHEAD OF SCHEDULE

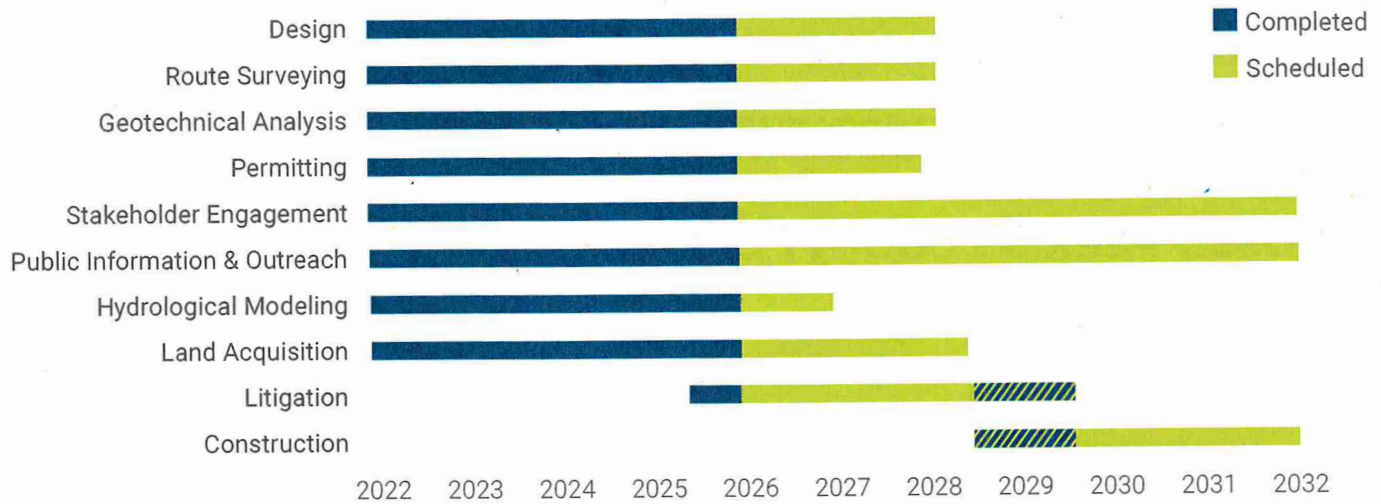
Authorized by the Unicameral in 2022, substantial work has been completed on the Perkins County Canal project. A cohesive team of some of the most well-respected engineering and water resources specialists in the country are working on the project.

- **DESIGN:** Plans have been developed for four new canal segments, two new dams and reservoirs, 33 drop structures, 19 private crossings, 36 public road crossings, utility crossings, and other features.
- **SURVEYING:** Multiple canal routes have been surveyed – including potential use of the Western Canal – along with more than half a dozen potential reservoir sites, crossings, staging sites, and other infrastructure.
- **GEOTECHNICAL ANALYSIS:** Soil investigations have been conducted, along with site drillings for the Roscoe Draw and Riverview West Reservoir sites.
- **PERMITTING:** A 404 permit application was submitted to the U.S. Army Corps of Engineers, wetland delineations were completed, an official public meeting was held, and initial work has been conducted for state permitting.
- **HYDROLOGICAL MODELING:** Modeling was conducted using historical hydrology, streamflow gains/losses, and canal and reservoir operations for the project.
- **STAKEHOLDER INVOLVEMENT:** Three Memoranda of Understanding (MOUs) for operational and management guidelines were signed with Central Platte NRD, Nebraska Public Power District, and Central Nebraska Public Power and Irrigation District. Additional NRDs, public power and irrigation districts, municipalities, and others have been consulted.
- **LAND ACQUISITION:** Colorado property has been purchased near the state line, landowner meetings were held in Big Springs, and land option and purchase offers were extended to Colorado landowners. Discussions with Nebraska landowners are continuing.



# MOMENTUM MATTERS: TRACKING CANAL SUCCESS

The Perkins County Canal project is moving forward and currently ahead of schedule, with major milestones completed or underway including design, permitting, land acquisition and public engagement.

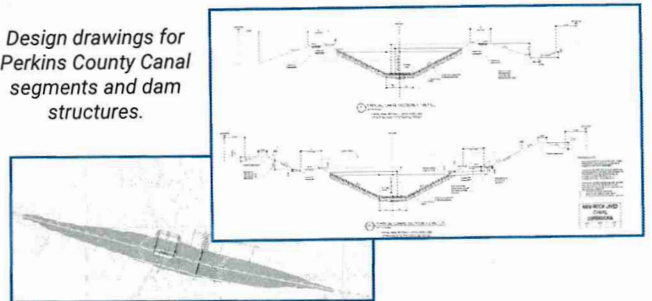


## PERKINS COUNTY CANAL: THE BENEFITS OF ACTION

Nebraska is currently missing out on 500 cfs of non-irrigation season water that the Compact entitles to the state once the canal is built. Maintaining momentum is critical and will protect Nebraska against future Colorado development. Benefits and protections provided by timely completion of the canal include:

- **Irrigation Supplies:** Increased reliability of irrigation water.
- **Minimized Dry River Periods:** The project will help ensure higher South Platte River flows in Nebraska year-round.
- **Agricultural Profitability:** Protecting water supplies for irrigation will directly benefit Nebraska's No. 1 industry.
- **Enhancing Municipal Water Supplies:** Greater reliability of drinking water in Lincoln, Omaha, and other communities.
- **Energy Reliability:** Cooling water for Nebraska's largest power plant, NPPD's Gerald Gentleman Station, will be maintained. Water flow for hydroelectric power generation will be protected.
- **Economic & Community Benefits:** Over-allocated regions in Nebraska will avoid stricter water regulations, fostering production and development. Water supplies in the North Platte River Basin will also benefit, enhancing recreational opportunities at Lake McConaughy.
- **Wildlife & Ecosystems:** Protection of water flows helps wildlife habitats.

Design drawings for Perkins County Canal segments and dam structures.



### Standing Up for our Water

Nebraska filed suit against the State of Colorado on July 16, 2025, arguing that Colorado has overused South Platte waters in the irrigation season and is obstructing Nebraska's efforts to build the Perkins County Canal. A decision is expected from the U.S. Supreme Court this spring, which will determine the next steps in litigation.

Nebraska's legal actions underscore the state's commitment to enforcing the South Platte Compact and advancing the Perkins County Canal. Nebraska is serious about securing its water future!

## STAY INFORMED

As the Perkins County Canal project continues, additional informational meetings will be held, and you can access information at any time on the project website. You can also access the most current information at any time on the project website.



## MORE INFORMATION

<https://dnr.nebraska.gov/perkins-county-canal>

Questions? Contact:

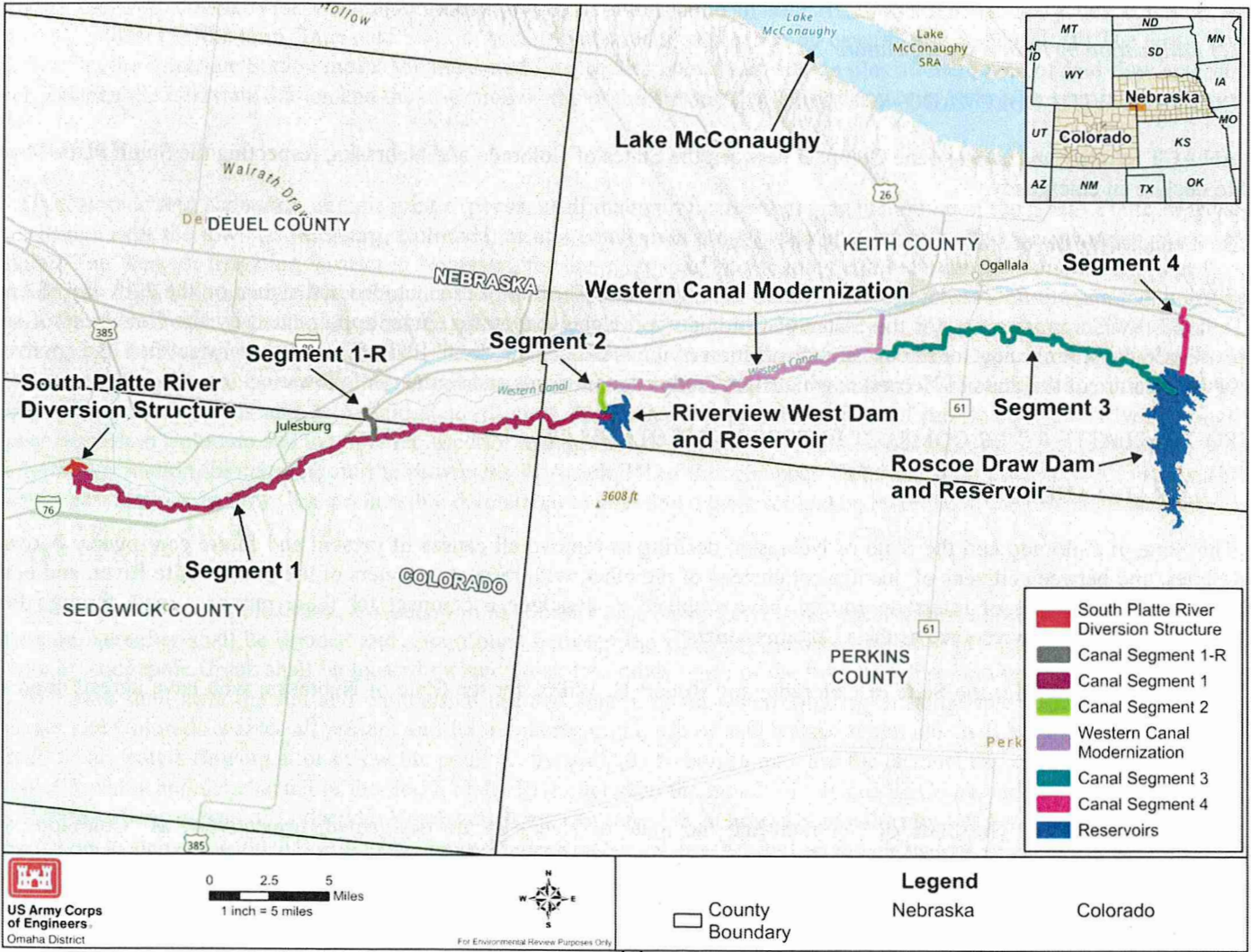
**Matt Manning**

Chief Water Officer

402-471-2186

[matt.manning@nebraska.gov](mailto:matt.manning@nebraska.gov)





**1-105. SOUTH PLATTE RIVER COMPACT**

*(1) Ratification by Nebraska Legislature*

**COMPACT WITH COLORADO, SOUTH PLATTE RIVER**

AN ACT to ratify and approve the Compact between the States of Colorado and Nebraska, respecting the South Platte River, and to declare an emergency.

Be it enacted by the people of the State of Nebraska:

Section 1. *Compact Between States of Colorado and Nebraska.* The compact concluded and signed on the 27th day of April A. D. 1923, by Commissioners for the States of Colorado and Nebraska, acting under appointment by the Governors of said States respectively, providing for the use and disposition of the waters of the South Platte River, is hereby ratified and approved by the Legislature of the State of Nebraska, which said Compact is in words and figures as follows:

**SOUTH PLATTE RIVER COMPACT BETWEEN THE STATES OF  
COLORADO AND NEBRASKA**

The State of Colorado and the State of Nebraska, desiring to remove all causes of present and future controversy between said States, and between citizens of one against citizens of the other, with respect to waters of the South Platte River, and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes, and, through their respective Governors, have named as their Commissioners:

Delph E. Carpenter, for the State of Colorado; and Robert H. Willis, for the State of Nebraska; who have agreed upon the following articles:

**ARTICLE I**

In this compact: (1) The State of Colorado and the State of Nebraska are designated, respectively, as "Colorado" and "Nebraska." (2) The provisions hereof respecting each signatory State, shall include and bind its citizens and corporations and all others engaged or interested in the diversion and use of the waters of the South Platte River in that State. (3) The term "Upper Section" means that part of the South Platte River in the State of Colorado above and westerly from the west boundary of

Washington County, Colorado. (4) The term "Lower Section" means that part of the South Platte River in the State of Colorado between the west boundary of Washington County and the intersection of said river with the boundary line common to the signatory States. (5) The term "Interstate Station" means that stream gaging station described in Article II. (6) The term "flow of the river" at the Interstate Station means the measured flow of the river at said station plus all increment of said flow entering the river between the Interstate Station and the diversion works of the Western Irrigation District in Nebraska.

## ARTICLE II

(1) Colorado and Nebraska, at their joint expense, shall maintain a stream gaging station upon the South Platte River at the river bridge near the town of Julesburg, Colorado, or at a convenient point between said bridge and the diversion works of the canal of The Western Irrigation District in Nebraska, for the purpose of ascertaining and recording the amount of water flowing in said river from Colorado into Nebraska and to said diversion works at all times between the first day of April and the fifteenth day of October of each year. The location of said station may be changed from year to year as the river channels and water flow conditions of the river may require. (2) The State Engineer of Colorado and the Secretary of the Department of Public Works of Nebraska shall make provisions for the cooperative gaging at and the details of operation of said station and for the exchange and publication of records and data. Said state officials shall ascertain the rate of flow of the South Platte River through the Lower Section in Colorado and the time required for increases or decreases of flow, at points within said Lower Section, to reach the Interstate Station. In carrying out the provisions of Article IV of this compact, Colorado shall always be allowed sufficient time for any increase in flow (less permissible diversions) to pass down the river and be recorded at the Interstate Station.

## ARTICLE III

The waters of Lodgepole Creek, a tributary of the South Platte River flowing through Nebraska and entering said river within Colorado, hereafter shall be divided and apportioned between the signatory States as follows: (1) The point of division of the waters of Lodgepole Creek shall be located on said creek two miles north of the boundary line common to the signatory States. (2) Nebraska shall have the full and unmolested use and benefit of all waters flowing in Lodgepole Creek above the point of division and Colorado waives all present and future claims to the use of said waters. Colorado shall have the exclusive use and benefit of all waters flowing at or below the point of division. (3) Nebraska may use the channel of Lodgepole Creek below the point of division and the channel of the South Platte River between the mouth of Lodgepole Creek and the Interstate Station, for the carriage of any waters of Lodgepole Creek which may be stored in Nebraska above the point of division and which Nebraska may desire to deliver to ditches from the South Platte River in Nebraska, and any such waters so carried shall be free from interference by diversions in Colorado and shall not be included as a part of the flow of the South Platte River to be delivered by Colorado at the Interstate Station in compliance with Article IV of this compact; *Provided, however,* that such runs of stored

water shall be made in amounts of not less than ten cubic feet per second of time and for periods of not less than twenty four hours.

#### ARTICLE IV

The waters of the South Platte River hereafter shall be divided and apportioned between the signatory States as follows: (1) At all times between the fifteenth day of October of any year and the first day of April of the next succeeding year, Colorado shall have the full and uninterrupted use and benefit of the waters of the river flowing within the boundaries of the State, except as otherwise provided by Article VI. (2) Between the first day of April and the fifteenth day of October of each year, Colorado shall not permit diversions from the Lower Section of the river, to supply Colorado appropriations having adjudicated dates of priority subsequent to the fourteenth day of June, 1897, to an extent that will diminish the flow of the river at the Interstate Station, on any day, below a meanflow of 120 cubic feet of water per second of time, except as limited in paragraph three (3) of this Article. (3) Nebraska shall not be entitled to receive and Colorado shall not be required to deliver, on any day, any part of the flow of the river to pass the Interstate Station, as provided by paragraph two (2) of this Article, not then necessary for beneficial use by those entitled to divert water from said river within Nebraska. (4) The flow of the river at the Interstate Station shall be used by Nebraska to supply the needs of present perfected rights to the use of water from the river within said State before permitting diversions from the river by other claimants. (5) It is recognized that variable climatic conditions, the regulation and administration of the stream in Colorado, and other causes, will produce diurnal and other unavoidable variations and fluctuations in the flow of the river at the Interstate Station, and it is agreed that, in the performance of the provisions of said paragraph two (2), minor or compensating irregularities and fluctuations in the flow at the Interstate Station shall be permitted; but where any deficiency of the mean daily flow at the Interstate Station may have been occasioned by neglect, error or failure in the performance of duty by the Colorado water officials having charge of the administration or diversions from the Lower Section of the river in that state, each such deficiency shall be made up, within the next succeeding period of seventy two hours, by delivery of additional flow at the Interstate Station, over and above the amount specified in paragraph two (2) of this article, sufficient to compensate for such deficiency. (6) Reductions in diversions from the Lower Section of the river, necessary to the performance of paragraph two (2) of this Article by Colorado, shall not impair the rights of appropriators in Colorado (not to include the proposed Nebraska canal described in Article VI), whose supply has been so reduced, to demand and receive equivalent amounts of water from other parts of the stream in that State according to its Constitution, laws, and the decisions of its courts. (7) Subject to compliance with the provisions of this Article, Colorado shall have and enjoy the otherwise full and uninterrupted use and benefit of the waters of the river which hereafter may flow within the boundaries of that State from the first day of April to the fifteenth day of October in each year, but Nebraska shall be permitted to divert, under the subject to the provisions and conditions of Article VI, any surplus waters which otherwise would flow past the Interstate Station.

#### ARTICLE V

(1) Colorado shall have the right to maintain, operate, and extend, within Nebraska, the Peterson Canal and other canals of The Julesburg Irrigation District which now are or may hereafter be used for the carriage of water from the South Platte River for the irrigation of lands in both States, and Colorado shall continue to exercise control and jurisdiction of said canals and the carriage and delivery of water thereby. This Article shall not excuse Nebraska water users from making reports to Nebraska officials in compliance with the Nebraska laws. (2) Colorado waives any objection to the delivery of water for irrigation of lands in Nebraska by the canals mentioned in paragraph one (1) of this Article, and agrees that all interests in said canals and the use of waters carried thereby, now or hereafter acquired by owners of lands in Nebraska, shall be afforded the same recognition and protection as are the interests of similar land owners served by said canals within Colorado; *Provided, however,* that Colorado reserves to those in control of said canals the right to enforce the collection of charges or assessments, hereafter levied or made against such interests of owners of the lands in Nebraska, by withholding the delivery of water until the payment of such charges or assessments; *Provided, however,* such charges or assessments shall be the same as those levied against similar interests of owners of lands in Colorado. (3) Nebraska grants to Colorado the right to acquire by purchase, prescription, or the exercise of eminent domain, such rights of way, easements or lands as may be necessary for the construction, maintenance, operation, and protection of those parts of the above mentioned canals which now or hereafter may extend into Nebraska.

#### ARTICLE VI

It is the desire of Nebraska to permit its citizens to cause a canal to be constructed and operated for the diversion of water from the South Platte River within Colorado, for irrigation of lands in Nebraska; that said canal may commence on the South bank of said river at a point southwesterly from the town of Ovid, Colorado, and may run thence easterly through Colorado along or near the line of survey of the formerly proposed "Perkins County Canal" (sometimes known as the "South Divide Canal") and into Nebraska, and that said project shall be permitted to divert waters of the river as hereinafter provided. With respect to such proposed canal it is agreed: (1) Colorado consents that Nebraska and its citizens may hereafter construct, maintain, and operate such a canal and thereby may divert water from the South Platte River within Colorado for use in Nebraska, in the manner and at the time in this article provided, and grants to Nebraska and its citizens the right to acquire by purchase, prescription, or the exercise of eminent domain such rights of way, easements or lands as may be necessary for the construction, maintenance, and operation of said canal; subject, however, to the reservations and limitations and upon the conditions expressed in this Article which are and shall be limitations upon and reservations and conditions running with the rights and privileges hereby granted, and which shall be expressed in all permits issued by Nebraska with respect to said canal. (2) The net future flow of the Lower Section of the South Platte River, which may remain after supplying all present and future appropriations from the Upper Section, and after supplying all appropriations from the Lower Section perfected prior to the seventeenth day of December, 1921, and after supplying the additional future appropriations in the Lower Section for the benefit of which a prior and preferred use of Thirty-five thousand acre feet of water is reserved by subparagraph (a) of this article, may

be diverted by said canal between the fifteenth day of October of any year and the first day of April of the next succeeding year subject to the following reservations, limitations and conditions: (a) In addition to the water now diverted from the Lower Section of the river by present perfected appropriations, Colorado hereby reserves the prior, preferred and superior right to store, use and to have in storage in readiness for use on and after the first day of April in each year, an aggregate of thirty-five thousand acre feet of water to be diverted from the flow of the river in the Lower Section between the fifteenth day of October of each year and the first day of April of the next succeeding year, without regard to the manner or time of making such future uses, and diversions of water by said Nebraska canal shall in no manner impair or interfere with the exercise by Colorado of the right of future use of the water hereby reserved. (b) Subject at all times to the reservation made by subparagraph (a) and to the other provisions of this Article, said proposed canal shall be entitled to direct five hundred cubic feet of water per second time from the flow of the river in the Lower Section, as of priority of appropriation of date December 17th, 1921, only between the fifteenth day of October of any year and the first day of April of the next succeeding year upon the express condition that the right to so divert water is and shall be limited exclusively to said annual period and shall not constitute the basis for any claim to water necessary to supply all present and future appropriations in the Upper Section or present appropriations in the Lower Section and those hereafter to be made therein as provided in subparagraph (a). (3) Neither this compact nor the construction and operation of such a canal nor the diversion, carriage and application of water thereby shall vest in Nebraska, or in those in charge or control of said canal or in the users of water therefrom, any prior, preferred or superior servitude upon or claim or right to the use of any water of the South Platte River in Colorado from the first day of April to the fifteenth day of October of any year or against any present or future appropriator or user of water from said river in Colorado during said period of every year, and Nebraska specifically waives any such claims and agrees that the same shall never be made or asserted. Any surplus waters of the river, which otherwise would flow past the Interstate Station during such period of any year after supplying all present and future diversions by Colorado, may be diverted by such a canal, subject to the other provisions and conditions of this Article. (4) Diversions of water by said canal shall not diminish the flow necessary to pass the Interstate Station to satisfy superior claims of users of water from the river in Nebraska. (5) No appropriations of water from the South Platte River by any other canal within Colorado shall be transferred to said canal or be claimed or asserted for diversion and carriage for use on lands in Nebraska. (6) Nebraska shall have the right to regulate diversions of water by said canal for the purposes of protecting other diversions from the South Platte River within Nebraska and of avoiding violations of the provisions of Article IV; but Colorado reserves the right at all times to regulate and control the diversions by said canal to the extent necessary for the protection of all appropriations and diversions within Colorado or necessary to maintain the flow at the Interstate Station as provided by Article IV of this Compact.

#### ARTICLE VII

Nebraska agrees that compliance by Colorado with the provisions of this compact and the delivery of water in accordance with its terms shall relieve Colorado from any further or additional demand or claim by Nebraska upon the waters of the South

Platte River within Colorado.

#### ARTICLE VIII

Whenever any official of either State is designated herein to perform any duty under this compact, such designation shall be interpreted to include the State official or officials upon whom the duties now performed by such official may hereafter devolve, and it shall be the duty of the officials of the State of Colorado charged with the duty of the distribution of the waters of the South Platte River for irrigation purposes, to make deliveries of water at the Interstate Station in compliance with this compact without necessity of enactment of special statutes for such purposes by the General Assembly of the State of Colorado.

#### ARTICLE IX

The physical and other conditions peculiar to the South Platte River and to the territory drained and served thereby constitute the basis for this compact and neither of the signatory States hereby concedes the establishment of any general principle or precedent with respect to other interstate streams.

#### ARTICLE X

This compact may be modified or terminated at any time by mutual consent of the signatory States, but, if so terminated and Nebraska or its citizens shall seek to enforce any claims of vested rights in the waters of the South Platte River, the statutes of limitation shall not run in favor of Colorado or its citizens with reference to claims of the Western Irrigation District to the water of the South Platte River from the sixteenth day of April, 1916, and as to all other present claims from the date of the approval of this compact to the date of such termination and the State of Colorado and its citizens may be made defendants in any action brought for such purpose shall not be permitted to plead the Statutes of Limitation for such periods of time.

#### ARTICLE XI

This compact shall become operative when approved by the Legislature of each of the signatory States and by the Congress of the United States. Notice of approval by the Legislature shall be given by the Governor of each State to the Governor of the other State and to the President of the United States, and the President of the United States is requested to give notice to the Governors of the signatory States of the approval by Congress of the United States.

IN WITNESS WHEREOF, the Commissioners have signed this compact in duplicate originals, one of which shall be deposited with the Secretary of State of each of the signatory States.

DONE at Lincoln, in the State of Nebraska, this 27th day of April, in the year of our Lord, One Thousand Nine Hundred Twenty-Three.

(Signed) Delph E. Carpenter.

Robert H. Willis.

Sec. 2. *Not to Bind State Until Approved by Other State.* That said Compact shall not bind either of the signatory States unless and until the same shall have been approved by the Legislature of each of the signatory States and the Congress of the United States shall have given its consent thereto and approval thereof.

Sec. 3. *The Governor to Notify Governor of Colorado.* The Governor of the State of Nebraska shall notify the Governor of the State of Colorado and the President of the United States of the passage of this Act, and the President is requested to notify the Governors of said States of the consent to and approval of said Compact by the Congress and to make proclamation thereof.

Sec. 4. *Emergency.* WHEREAS, an emergency exists, this Act shall take effect and be in force from and after its passage and approval.

*(2) Appointment of the Commission of 1939*

AN ACT providing for the appointment of a commissioner to act on behalf of the State of Nebraska to negotiate a compact between the States of Colorado and Nebraska respecting the use of and distribution of the waters of the South Platte River and the rights of said states thereto.

Section 1. The Governor of Nebraska shall appoint a commissioner who shall represent the State of Nebraska upon a joint commission to be composed of commissioners representing the States of Colorado and Nebraska, to be constituted by said states for the purpose of negotiating and entering into a compact or agreement between said states, with the consent of Congress, relative to the utilization and disposition of the waters of the South Platte River and all streams tributary thereto, and fixing and determining the rights of each of said states to the use, benefit and disposition of the waters of said streams; *Provided*, that any compact or agreement made on behalf of said states shall not be binding or obligatory upon either of said states or the citizens thereof, unless and until the same shall have been ratified and approved by the Legislatures of both states. Said commissioner shall have complete authority to consider and include in any compact between the said states, provisions for the construction of such works as may be necessary to conserve the waters in the aforesaid river and to store said waters in the State of Colorado for use in the State of Nebraska.

Sec. 2. Upon appointment of said commissioner by the Governor, the said commissioner shall proceed as soon as possible to meet with the commissioner for the State of Colorado for the purpose of negotiating the compact referred to in Section 1 hereof.

## Article VI of South Platte Compact

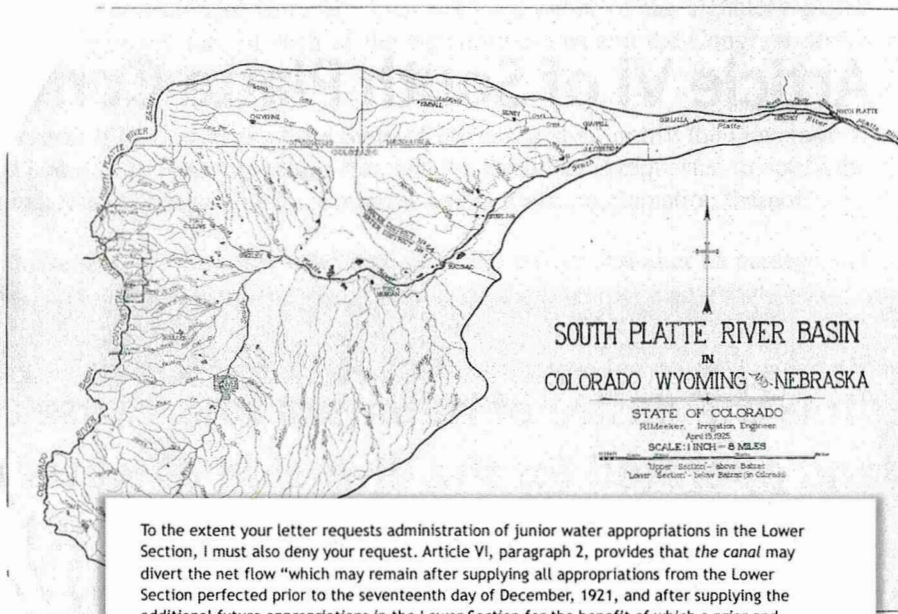
### ARTICLE VI.

It is the desire of Nebraska to permit its citizens to cause a canal to be constructed and operated for the diversion of water from the South Platte River within Colorado for irrigation of lands in Nebraska; that said canal may commence on the south bank of said river at a point southeasterly from the town of Ovid, Colorado, and may run thence easterly through Colorado along or near the line of survey of the formerly proposed "Perkins County Canal" (sometimes known as the "South Divide Canal") and into Nebraska, and that said project shall be permitted to di-

**"It is the desire of Nebraska to ... cause a canal to be constructed and operated for the diversion of water from the South Platte River within Colorado, for irrigation of lands in Nebraska; ... and that said project shall be permitted to divert waters of the river as hereinafter provided."**

MAP  
OF  
SOUTH DIVIDE CANAL  
Showing the location of the canal  
between the States of Colorado and  
Nebraska. Scale 1:50,000  
U.S. GEOLOGICAL SURVEY  
WASHINGTON, D.C.

# Why is Nebraska building the Perkins County Canal?



To the extent your letter requests administration of junior water appropriations in the Lower Section, I must also deny your request. Article VI, paragraph 2, provides that *the canal* may divert the net flow "which may remain after supplying all appropriations from the Lower Section perfected prior to the seventeenth day of December, 1921, and after supplying the additional future appropriations in the Lower Section for the benefit of which a prior and preferred use of thirty-five thousand acre-feet is reserved" for Colorado, among additional limitations in the Compact. Because Nebraska has not constructed the Perkins County Canal, there is no basis for Colorado to administer junior water appropriations in the Lower Section

1313 Sherman Street, Room 821, Denver, CO 80203 P 303.866.3581 [dwr.colorado.gov](http://dwr.colorado.gov)  
Jared S. Polis, Governor | Dan Gibbs, Executive Director | Kevin G. Rein, State Engineer/Director



53 December 15, 2022, Letter from Kevin Rein (Colorado State Engineer)

## The Colorado Proposed Actions –

### Why Nebraska Must take Actions to Preserve and Protect its Compact Entitlements



2016 South Platte Basin Implementation Plan Brochure:  
<https://southplattebasin.com/wp-content/uploads/2016/04/South-Platte-Basin-Implementation-Plan-Brochure.pdf>

According to Colorado’s own State Water Plan, the South Platte and Denver Metro Basins are projected to grow from approximately 3.5 million people in the year 2008 to about 6 million people by the year 2050. This is driving Colorado to address a projected annual water supply shortfall of roughly 200,000 acre-feet for municipal and industrial uses and over 400,000 acre-feet per year for agricultural uses in the South Platte Basin.<sup>1</sup>

Colorado has historically turned to water supplies from the Colorado River Basin to meet demands, by transferring water from that basin to the South Platte River. Those sources of water are becoming increasingly scarce, so Colorado’s Legislature has been supporting efforts to determine what can be done to ensure no “excess” South

Platte River water passes into Nebraska. Colorado considers Nebraska’s Article VI water to be available for this purpose since the Perkins County Canal was never built. This “excess” water is part of the water Nebraska will divert under Article VI of the Compact to ensure Colorado does not take what is reserved to Nebraska under the Compact. The project is thus critical to Nebraska’s Compact enforcement efforts.

In 2016 the Colorado Legislature passed House Bill 16-1256, titled “South Platte Storage Study” (SPSS) to identify water storage options along the lower South Platte River to capture flows leaving Colorado **“in excess of the minimum legally required amounts.”** The results of

Colorado’s analysis<sup>2</sup>, shown in Table 1-1, indicates that 293,000 acre-feet of the current flow (331,000 acre-feet) was “water delivered to Nebraska in excess of the Compact”. Colorado’s apparent interpretation of the Compact is that without the Perkins County Canal Colorado is allowed to **reduce the South Platte River flows by approximately 90%.**

**Table 1-1. Historical Annual Flow for 1996-2015 at Nebraska State Line**

Statistic	Physical Water Leaving Colorado (Julesburg Gage)	Water Delivered to Nebraska in Excess of the Compact <sup>(1)(2)</sup>
Annual Median (ac-ft/yr)	331,000	293,000
Annual Average (ac-ft/yr)	436,000	397,000
Minimum Year (ac-ft/yr)	29,000	10,000
Maximum Year (ac-ft/yr)	1,957,000	1,904,000
Total for 20-yr Period 1996-2015 (ac-ft)	8,728,000	7,939,000

<sup>(1)</sup> Storable flow Julesburg gage  
<sup>(2)</sup> Future environmental flow obligations could reduce legally available water.

<sup>1</sup> “Business as Usual” projections in Tables 2 and 3 of the January 2022 Draft South Platte Basin Implementation Plan:  
<https://engagecwcb.org/13137/widgets/39803/documents/24420>

<sup>2</sup> The Final Report for HB16-1256 can be found here: [https://southplattebasin.com/wp-content/uploads/2016/04/South-Platte-Storage-Study\\_FINAL-REPORT.pdf](https://southplattebasin.com/wp-content/uploads/2016/04/South-Platte-Storage-Study_FINAL-REPORT.pdf)

**Section 7. Future Basin Projects**

The BRTs, along with other stakeholders, identified projects that will further progress toward achieving basin goals and meeting future water needs. The list of projects is managed in a database that was initially developed prior to the 2015 BIP and was updated in 2020 during the BIP update. The purpose of the projects database is to keep a record of the projects considered by the roundtables through the BIP process, both in the past and into the future. Table 9 provides a snapshot summary of the projects database at the conclusion of the current BIP update process.

**Table 9. Snapshot Summary of Basin Projects**

Total Projects	282
New projects added in 2020	185
Projects completed	17
Projects being implemented	81
Projects identified as meeting M&I needs	178
Projects identified as meeting Ag needs	44
Projects identified as meeting E&R needs	132
Projects identified as meeting Administrative needs	15
Tier 1 projects	39
Tier 2 projects	53
Tier 3 projects	135
Tier 4 projects	55
<b>TOTAL COST OF ALL PROJECTS</b>	<b>\$9,870,000,000</b>
<b>PERCENTAGE OF PROJECTS WITH AN ESTIMATED COST</b>	<b>56%</b>

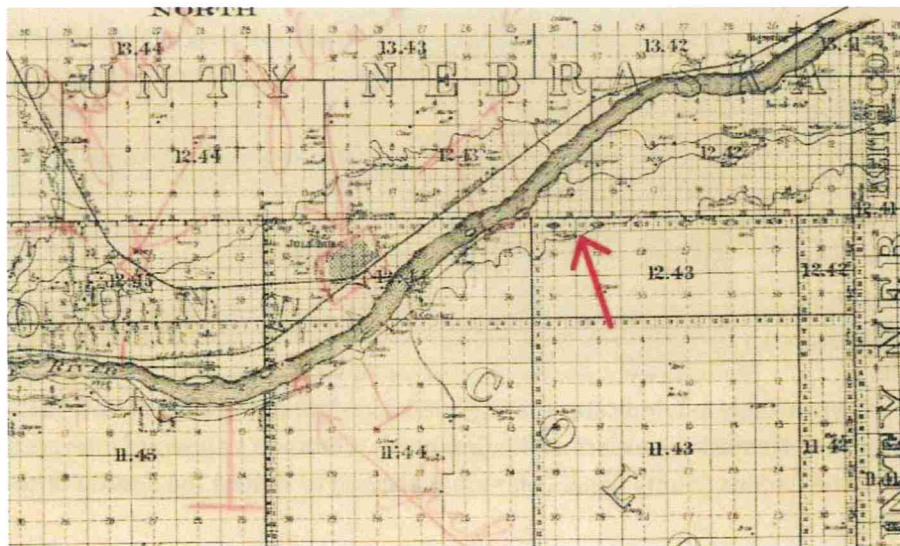
*Projects that are concepts, planned, or are being implemented were the basis for the above data summary (with the exception of data specifically describing projects completed or being implemented)*

More recently, on October 13, 2021, Colorado released updated **Basin Implementation Plan (BIP)**<sup>3</sup> documents for public comment, including a Volume 1 document<sup>4</sup> for the South Platte and Metro Basins. The report listed 282 total projects, including 81 being implemented and 17 that were already completed, that “will further progress toward achieving basin goals and meeting future water needs”. The total estimated costs for project implementation totaled **over \$9.8 Billion**. Several projects included in the HB16-1256 study, including Fremont Butte Reservoir, a proposed 70,000 acre-foot reservoir, also appear in the BIP project list.<sup>5</sup>

Nebraska’s pursuit of the diversion contemplated under Article VI will require Colorado to comply with the additional requirements during the non-irrigation season, which would curtail Colorado water rights in the lower South Platte River developed after December 17, 1921. Therefore, Nebraska’s construction of a diversion project

may also impact existing Colorado water rights, providing additional water supplies to Nebraska, while also limiting newer Colorado water rights from further eroding flows into Nebraska.

Nebraska welcomes further discussions with Colorado to understand past and ongoing plans for water development in the South Platte River Basin to ensure these protections are afforded to Nebraska water users.



1902 Perkins County Canal Route, Source: History Nebraska

<sup>3</sup> <https://engagecwcb.org/bip-public-comment-period>  
<sup>4</sup> <https://engagecwcb.org/13137/widgets/39803/documents/24420>  
<sup>5</sup> <https://cwcb-projects.secure.force.com/DNRBasinIdentifiedProjects>

SOUTH PLATTE RIVER AT JULESBURG - TOTAL FLOWS (ACRE-FEET)

Data Sources:

Oct. 15, 1968 - Sept. 30, 2024: SOUTH PLATTE RIVER AT JULESBURG (COMBINED) (PLAJUCCO)  
<https://dwr.state.co.us/Tools/Stations/PLAJUCCO>

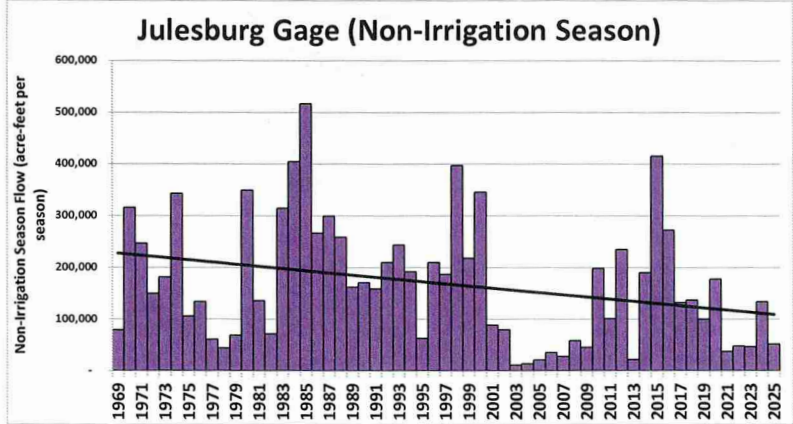
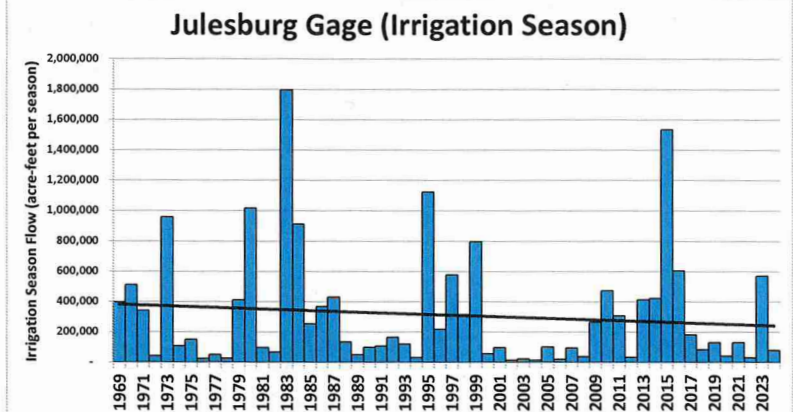
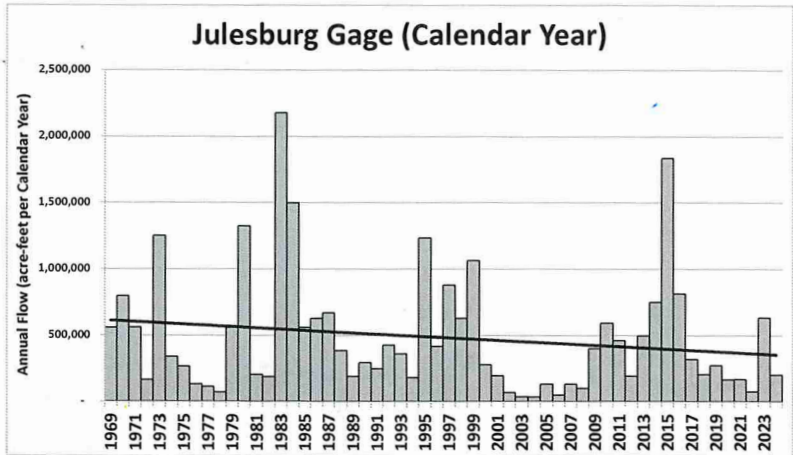
Oct. 1, 2024 - Mar. 31, 2025: [SOUTH PLATTE RIVER AT JULESBURG (CHANNEL #1) (ONEJURCO)]  
 + [SOUTH PLATTE RIVER AT JULESBURG (RIGHT CHAN. #2) (PLAJURCO)]  
<https://dwr.state.co.us/Tools/Stations/ONEJURCO>  
<https://dwr.state.co.us/Tools/Stations/PLAJURCO>

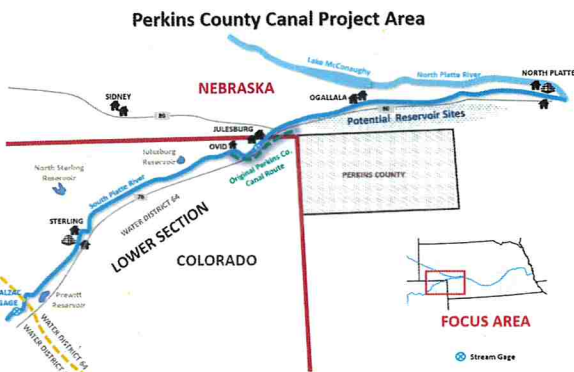
NOTE: Oct. 1, 2023 - Mar. 31, 2025 data are PROVISIONAL, and subject to revision

SOUTH PLATTE RIVER AT JULESBURG - TOTAL FLOWS (ACRE-FEET)

\* For instance, the 1969 Non-Irrigation Season is Oct. 15, 1968 to Mar. 31, 1969  
 As a result, the sum of Irrigation Season and Non-Irrigation Season Flows will NOT match the Calendar Year value

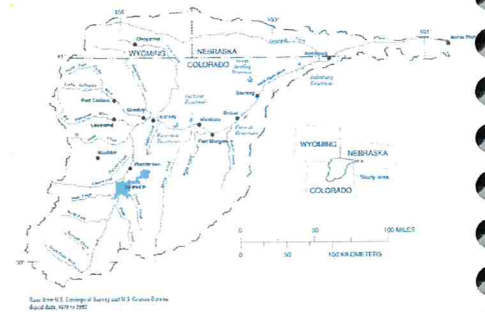
Calendar Year (Jan. 1 - Dec. 31)	Irrigation Season (Apr. 1 - Oct. 14)	Non-Irrigation Season (Oct. 15 - Mar. 31)*
1969	558,908	396,379
1970	796,955	509,292
1971	561,816	341,068
1972	163,353	41,659
1973	1,249,779	958,056
1974	338,819	108,317
1975	266,672	149,468
1976	131,062	25,379
1977	111,953	49,680
1978	71,770	26,987
1979	557,700	410,366
1980	1,324,128	1,017,751
1981	204,442	97,035
1982	186,058	67,999
1983	2,177,802	1,796,422
1984	1,497,170	911,466
1985	561,701	252,926
1986	629,330	366,744
1987	671,619	431,361
1988	385,281	134,705
1989	188,894	49,416
1990	293,827	97,577
1991	247,831	105,539
1992	424,485	166,161
1993	359,494	121,702
1994	179,129	31,789
1995	1,233,788	1,122,754
1996	415,027	217,944
1997	879,537	575,353
1998	627,715	314,479
1999	1,063,845	794,428
2000	277,361	55,851
2001	196,260	96,619
2002	66,853	14,815
2003	36,246	22,721
2004	33,400	15,269
2005	129,542	100,237
2006	48,599	21,892
2007	131,942	94,860
2008	99,346	36,660
2009	399,586	264,315
2010	591,019	472,245
2011	459,445	306,117
2012	193,948	33,493
2013	498,706	411,544
2014	748,984	422,192
2015	1,835,502	1,534,982
2016	812,461	603,045
2017	320,045	181,989
2018	204,553	83,343
2019	273,027	131,012
2020	166,336	42,119
2021	168,770	129,901
2022	76,762	31,325
2023	632,473	568,715
2024	201,929	79,670
2025		51,535



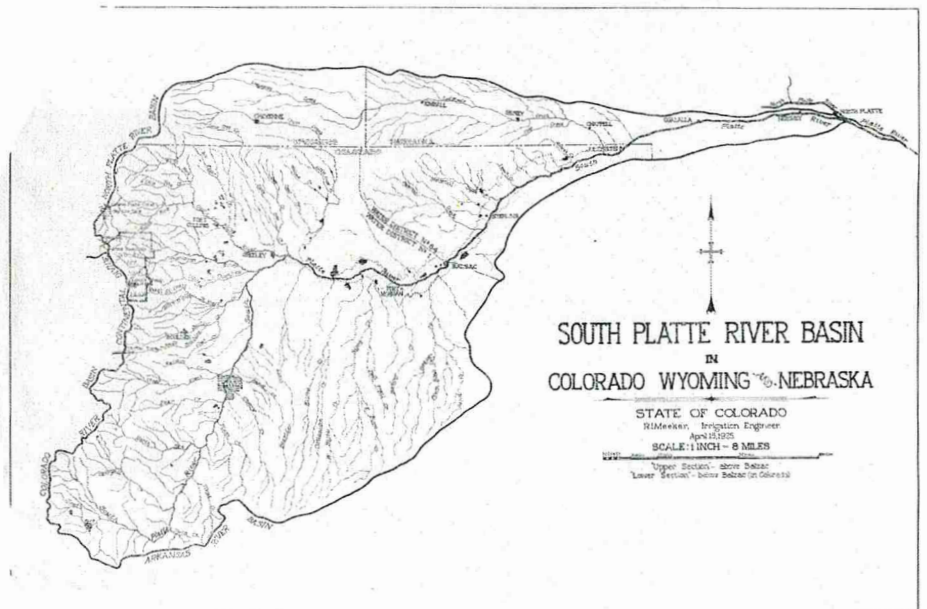


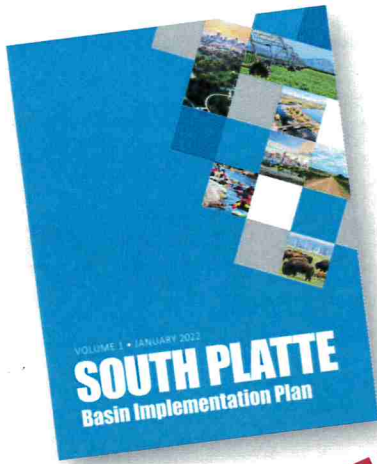
The South Platte River Compact conditions Nebraska's winter season water entitlement on construction of the Canal. Without the Canal, Nebraska cannot exercise this entitlement.

When the Canal is constructed, water will continue to flow into Nebraska when Nebraska calls on its 1921 priority.



# Foreseeable Future Without the Canal





Colorado legislation, policies, and planning documents identify a substantial shortage (over **400 kaf** for agriculture and around **250 kaf** for municipal uses) needed to meet Colorado's 2050 demand in South Platte Basin (Colorado's South Platte Basin Implementation Plan 2022)

Figure 6. Baseline and 2050 Projected Average Annual Agricultural Diversion Demand, Demand Met, and Gaps

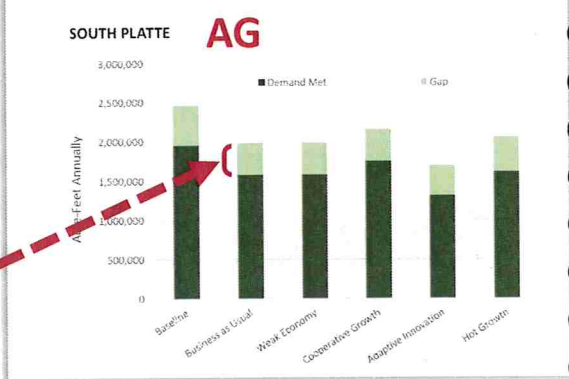
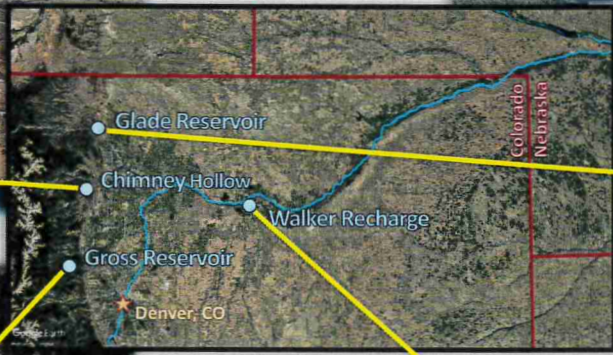
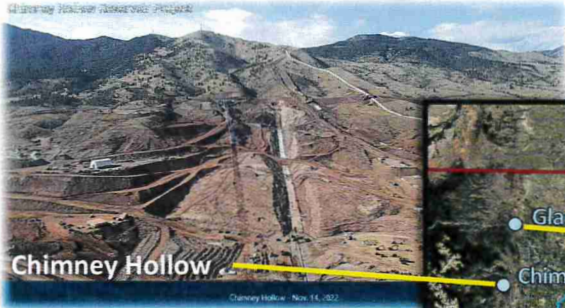


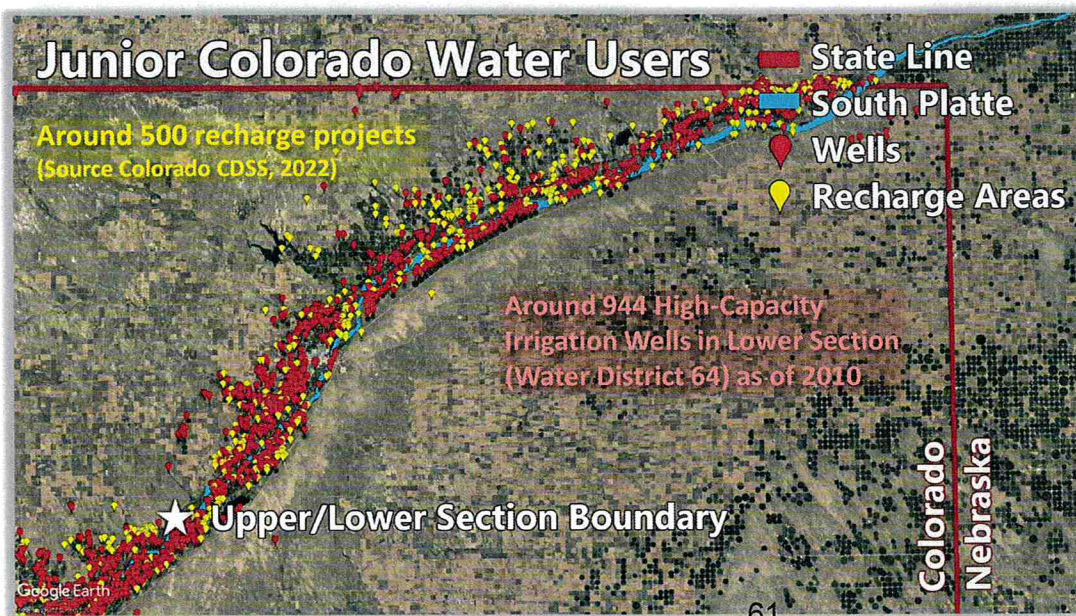
Figure 4. Baseline and 2050 Projected Maximum Annual M&I Demand Met and Gaps



# Projects Currently Under Construction



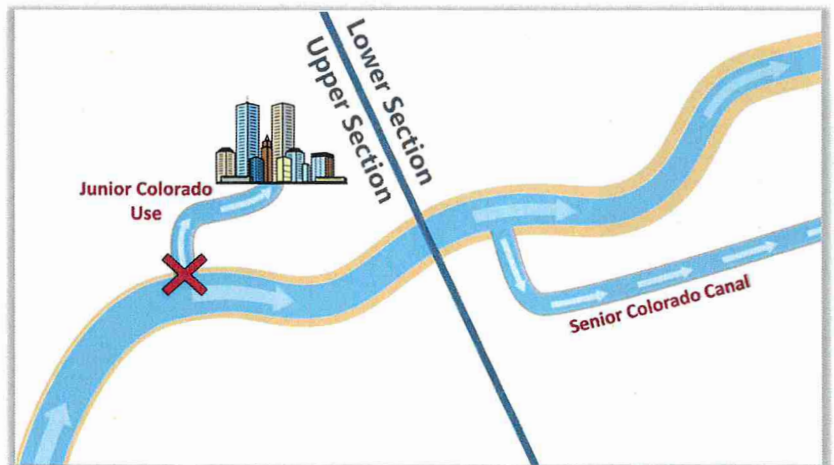
## Existing Junior Groundwater Wells and Augmentation Structures



These uses (as well as existing Colorado augmentation projects and groundwater wells) will be junior to the Canal.

## Upper/Lower Section Connections

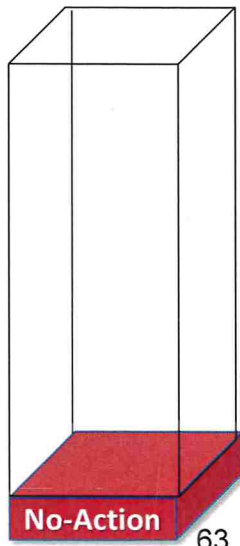
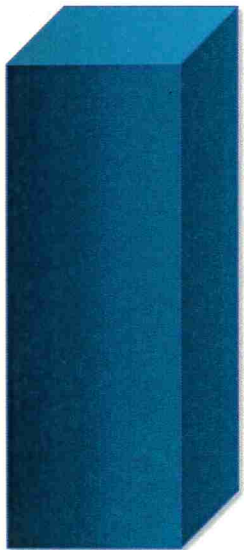
While the Compact divides this portion of the basin into an Upper and Lower Section, Colorado law does not recognize that distinction, so Lower Section users junior to the Perkins County Canal could still call out users in the Upper Section with rights junior to theirs.



## NO ACTION: Stateline Flows

Current

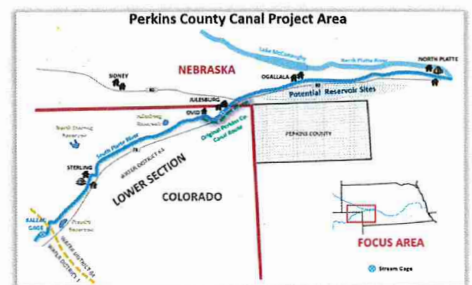
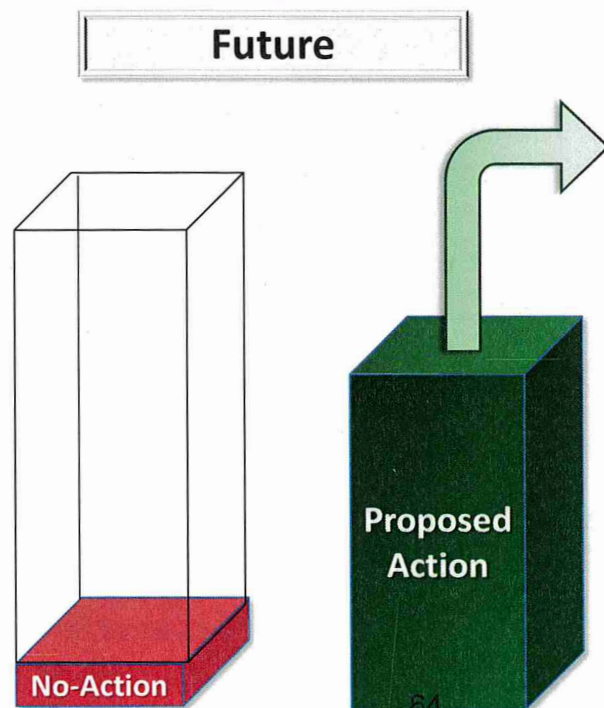
Future



63

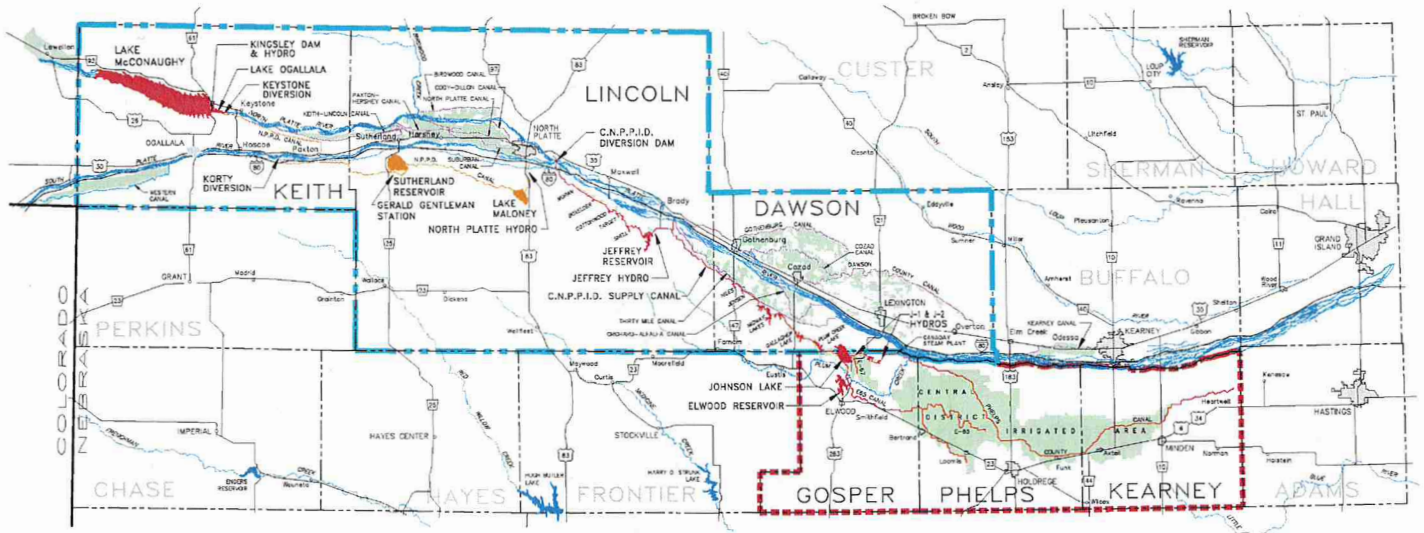
**Without the Canal, Colorado plans to increase its consumptive uses such that the only water crossing the state line is the minimum flow of 120 cfs from April 1 – October 15 (roughly 47 kaf).**

## WITH Project: Stateline Flows

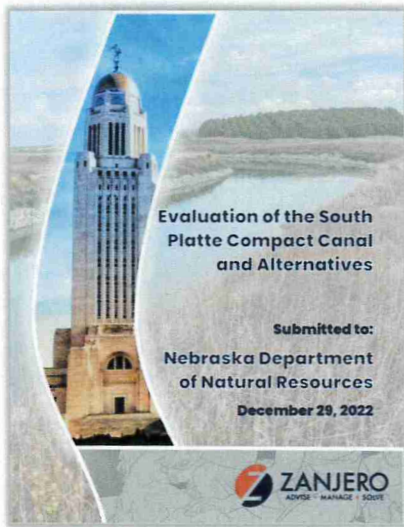


With the Canal, state line flows will be protected. Return flows originally intended for Nebraska would no longer be consumptively used by Colorado and instead would flow into Nebraska.

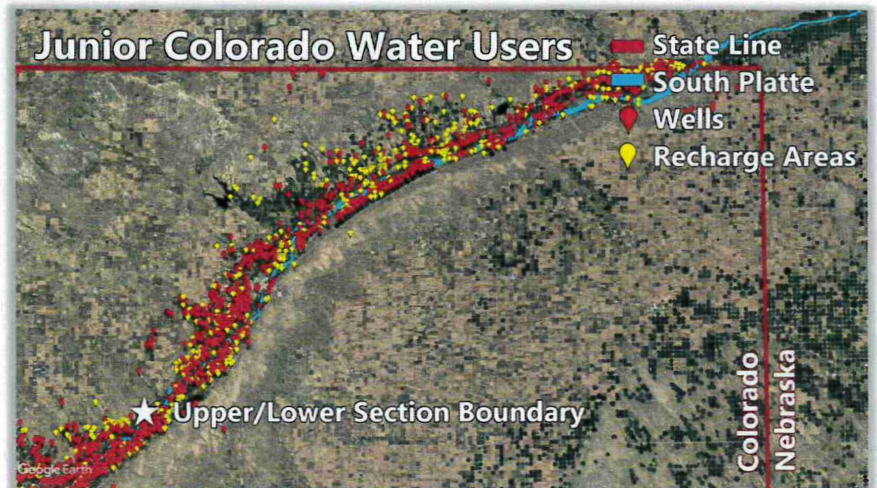
Nebraska is not constructing the Canal for the purpose of expanding its water consumption – the intent is to firm existing supplies.



0 10 MI  
 = SURFACE IRRIGATION



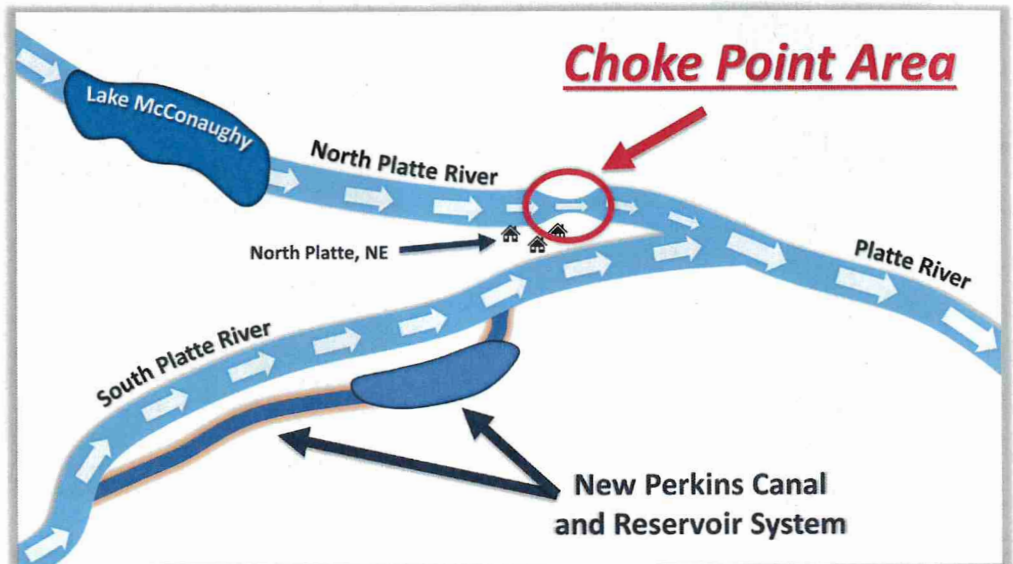
Analyses show that roughly 75 kaf – 100 kaf of water will be available to Nebraska during the winter season when the canal is operating.



So, Canal depletions would be no greater than current junior Colorado depletions that have already been authorized in the Lower Section under the Program.

## Addressing #1 Issue for USFWS

Cooperative management of the Canal can create opportunities to solidify Program water objectives and maximize outcomes for all three states and the Federal parties.



For example, the Canal and reservoir system offers a unique opportunity to fully address conveyance limitations that are critical to USFWS water management and fully attaining Program milestones.

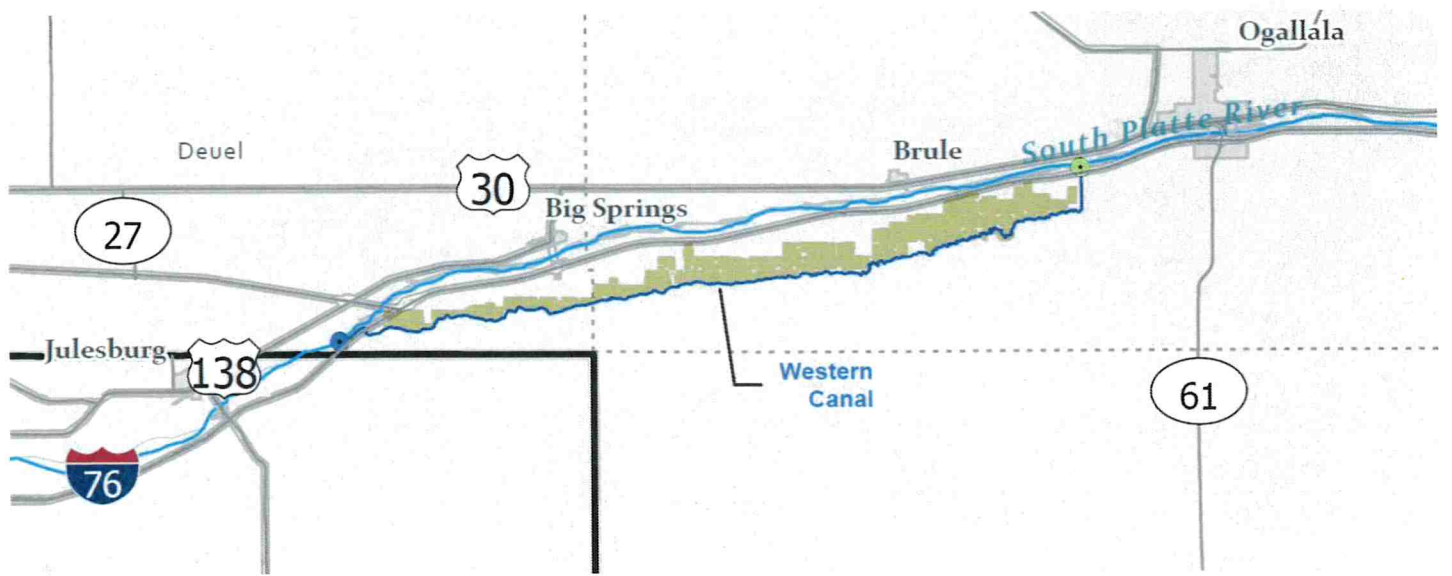
# Western Irrigation District

2022











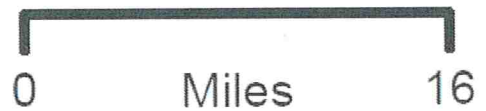
Source: Drone Footage Along County Rd J in Western ID Service Area, Aug 18, 2022

# Western Irrigation District



## LEGEND

- |  |   |   |
|--|---|---|
|  Canal    |  Diversion     |  Irrigable Acre Parcel |
|  Rivers   |  Return        |  State Boundary        |
|  Highways |  City Boundary |   |



# KINGSLEY DAM REFACING PROJECT UPDATE

February 2026

## Quick Facts

### Kingsley Dam

- Constructed 1936 to 1941
- 3.1 miles long
- 163 feet high
- Zoned hydraulic-fill construction

### Lake McConaughy

- 22 miles long
- 30,500 surface acres
- 1.7 million acre-feet storage
- Water provides irrigation, hydropower, recreation, in-stream flows, cooling water and underground storage (recharge)
- Storage appropriations ("water rights") held by Central (CNPPID), Nebraska Public Power District (NPPD) and others
- Top recreational destination in Nebraska, nearly 2 million visitors days a year

### Kingsley Hydroplant

- Constructed 1981 to 1984
- 50 MW Unit

### FERC License

- Licensed by the Federal Energy Regulatory Commission
- FERC Project No. 1417



## ABOUT CENTRAL

The Central Nebraska Public Power & Irrigation District is a political sub-division of the state of Nebraska with headquarters in Holdrege. Central's Kingsley Dam and Lake McConaughy is the centerpiece of a project that provides many benefits critical to the people of Nebraska.

- Central delivers irrigation water directly to more than 108,000 acres located between North Platte and Minden and stores water for over 100,000 additional acres for other irrigation districts.
- Central generates electricity for homes, farms and industry at four hydroplants, one at Kingsley Dam and three on Central's supply canal. Central is the largest producer of hydropower in the state.
- Recreation is another benefit of Central's project. Nebraskans and visiting vacationers enjoy recreational opportunities provided by Lake McConaughy, Lake Ogallala, Johnson Lake, Jeffrey Reservoir, Elwood Reservoir and other small lakes.
- Central's system of canals and laterals provide underground water storage (groundwater recharge) that helps stabilize groundwater supplies for irrigation, municipal and industrial uses.
- Project also provides habitat for many species of fish and wildlife, a result of Central's active role in creating and preserving habitat in the Platte River Valley.

## KINGSLEY DAM AND LAKE MCCONAUGHY EXPENSES

Kingsley Dam and Lake McConaughy are expensive to operate and maintain. Expenses include maintenance, repairs and upgrades to structures, shoreline erosion management and inspections.

The costs to bring these benefits to Nebraska must be covered by Central's revenues from its operations including: hydroelectric power generation sales, water service contracts for surface water irrigation, lake lot leases and special water contracts & agreements.

Operating on an annual \$20 million budget, Central typically receives less than \$5,000,000 in revenue directly from hydroelectric operations and lake lot leases at Kingsley Dam and Lake McConaughy.



# CENTRAL

Nebraska Public Power  
and Irrigation District

## Tentative Project Timeline

### Computer Modeling

### Develop Alternatives

### Final Design

### Construction Phase

Feb. 2026 - July 2027

Conducting comprehensive computer and physical modeling of non-rip-rap alternatives

July 2027 - Dec. 2027

Finalizing and developing alternatives for public consideration

Dec. 2027 - Mar. 2029

Completing final design and obtaining approvals

Mar. 2029 - Aug. 2031

Construction takes place

## PARTICIPANTS AND PARTIES INVOLVED

- RJH Consultants, Inc.
- U.S. Federal Energy Regulatory Commission
- Nebraska Department of Water, Energy and Environment
- Independent Board of Consultants
- CNPPID Board Special Projects Committee

## FEDERAL LEGISLATION

### Maintaining and Enhancing Hydroelectricity and River Restoration Act

- *H.R. 2160*
- *S. 1183*

All five of Nebraska's federal delegation have signed on as co-sponsors of the House and Senate versions of the introduced legislation that would provide a 30 percent investment tax credit for dam safety improvements, among other actions related to hydro projects.

**KEEP  
UPDATED  
ON THE  
PROJECT**



## PROGRESS UPDATE: WHAT HAS BEEN COMPLETED

Investigations following damage in the 2021-22 season determined that the current rip-rap (broken rock) erosion protection is inadequate. A team of Central staff, a well-respected engineering firm and other specialists from across the country are working on the project.

- **CAUSE INVESTIGATION:** Central hired a national consulting firm that has done comprehensive studies on what caused the rip-rap damage
- **PRELIMINARY ALTERNATIVES EVALUATION & SCREENING:** Professional consultants are evaluating both rip-rap and non-rip-rap options to complete the refacing project.
- **DATA COLLECTION:** Over the past year, extensive wind and wave data collection has occurred near the dam.
- **BOARD OF CONSULTANTS:** A 3-member board of consultants was finalized and approved by the CNPPID Board of Directors and the Federal Energy Regulatory Commission.

## CURRENT STATUS: WHAT IS IN PROGRESS

- **REDEFINED WIND ANALYSIS AND EXTREME WIND-WAVE MODELING:** Consultants and national experts are using the collected data to construct models and conduct testing to determine if alternative facing options are feasible for the Kingsley Dam refacing project.

## MAJOR UNCERTAINTY AND UNKNOWNNS

- **WHAT THE FIX WILL BE :** The board will have to make the decision to use rip-rap or other method. Also will determine to do a complete fix or partial repair to just the damaged area.
- **PROCUREMENT PROCESS:** The choice of using traditional design-build process or construction manager at risk (CMAR)
- **TOTAL COST OF PROJECT:** Total cost is dependent on final design
- **TIMELINE:** Construction timeline subject to change