

Nebraska, Kansas and Colorado agree to new resolutions to improve management of Republican River

By Joe Duggan / World-Herald Bureau

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LINCOLN — Governors from Nebraska, Kansas and Colorado lauded new resolutions Friday intended to improve management of the Republican River, long a source of costly legal disputes and hard feelings between the states.

What's being called a landmark agreement is designed to allow for more flexible and predictable management of the river for cropland irrigation while allowing the states to remain in compliance with requirements of the Republican River Compact.

Bitter fights over compact obligations have led to lawsuits over the decades. But water resources officials from all three states have been meeting monthly for the past two years to share water data, negotiate agreements and hopefully avoid future standoffs.

"These resolutions represent a long-term strategy for representing each state and ultimately improving water management for water users," Nebraska Gov. Pete Ricketts said in a press release.

Colorado Gov. John Hickenlooper and Kansas Gov. Sam Brownback said the "historic agreement" shows a new commitment from the states to address water challenges through "cooperation and collaboration." The documents were signed this week at a meeting in Burlington, Colorado.

The Republican originates in Colorado and runs mostly through Nebraska before ending in Kansas. The states signed the original compact in 1942, which allocates 49 percent of the river's water to Nebraska, 40 percent to Kansas and 11 percent to Colorado.

In the past, disputes over the amount of water used by irrigators in each state frequently ended up in court, or more recently, in arbitration.

The stakes were huge. Surface and groundwater supplies associated with the Republican provide irrigation for hundreds of thousands of acres of cropland in Nebraska. Irrigation shutdowns have the potential to reduce the assessed value of cropland by figures approaching \$1 billion.

Over the last two years, state officials have been trying to work out better ways to use the water when it's needed and store it when there is a surplus. In recent years, Nebraska water managers have developed pipelines that move water from rechargeable underground aquifers to augment the river's flow during drought or high demand periods.

One of the new resolutions will limit the amount of water Nebraska must provide to Kansas based upon what Kansas actually needs in a given year, according to Jasper Fanning, general manager of

the Upper Republican Natural Resources District headquartered in Imperial. Kansas could call upon those volumes in future years as needed.

That kind of flexibility has been desired by irrigators and water managers in all three states for years, Fanning said.

“This agreement creates a new era of interstate water management in the basin where compact compliance is assured and achieved in a common-sense manner,” he said.

Now that the broad frameworks have been agreed to, officials will meet with NRDs and surface irrigation districts in the state to work out the details, said Jeff Fassett, director of the Nebraska Department of Natural Resources. But the agreements should reduce the need for the state to shut off irrigators during what are called “water short years.”

“It’s really trying to put more certainty and predictability into the system so our users can have some idea what the next year is going to look like,” Fassett said.

Each state has agreed to review the resolutions by 2020 to ensure they are being implemented as intended. In addition, while any state can terminate the agreement, states have agreed to work in good faith to resolve disputes, Fassett said.

Steve Nelson, president of the Nebraska Farm Bureau, praised the resolutions Friday, saying they should reduce litigation and help farmers and ranchers better manage their operations

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