

FACT SHEET

Republican River Compact

January 2017

Following the drought of the 1930s and a devastating flood in the basin in 1935, the Republican River Compact was negotiated during the early 1940s to pave the way for a system of federal dams and irrigation districts in the Republican River Basin. The Compact was ratified by the states of Colorado, Kansas and Nebraska and the U.S. in 1943. Principally, the Compact provided an apportionment of 100% of the basin's water supply between the three states. To accomplish this, the negotiators of the compact determined the virgin water supply within the basin by major tributaries and allocated those supplies based on anticipated development. The Compact includes provisions for adjustments to the virgin water supply and allocations based on future records and/or changing conditions.

The Republican River Compact Administration (RRCA) was created in 1959. The state official in each of the three states who is charged with administering water law also administers the compact. The compact Administration meets at least annually, typically in August, to conduct its business including reports from the state and federal agencies and review the work of its engineering committee.

For more information on the Compact and the Republican River basin visit agriculture.ks.gov/RepublicanRiver

1998 Litigation and the Final Settlement Stipulation (FSS)

In 1998, after failed attempts to resolve concerns over increased groundwater development in Nebraska's Republican River basin, Kansas filed suit in the U.S. Supreme Court to enforce the terms of the compact. That case was settled December 15, 2002, when the final settlement stipulation was signed by the member states with consent of the United States. The FSS defines how compliance with the Compact's requirements will be determined including detailed accounting procedures and the use of a jointly-developed groundwater model. For more information on the FSS see the link above.

Recent RRCA Events

In June 2014, the States began discussions to reach agreements on appropriate credit in the Compact accounting for Colorado's and Nebraska's compliance activities while providing Kansas users the water they are entitled to in a way that maximizes its usefulness and minimizes waste. Six interim agreements resulted from these discussions which ultimately led to two long-term agreements between the States passed by the RRCA at its August 2016 annual meeting. Full resolutions can be obtained on the website at agriculture.ks.gov/RepublicanRiver

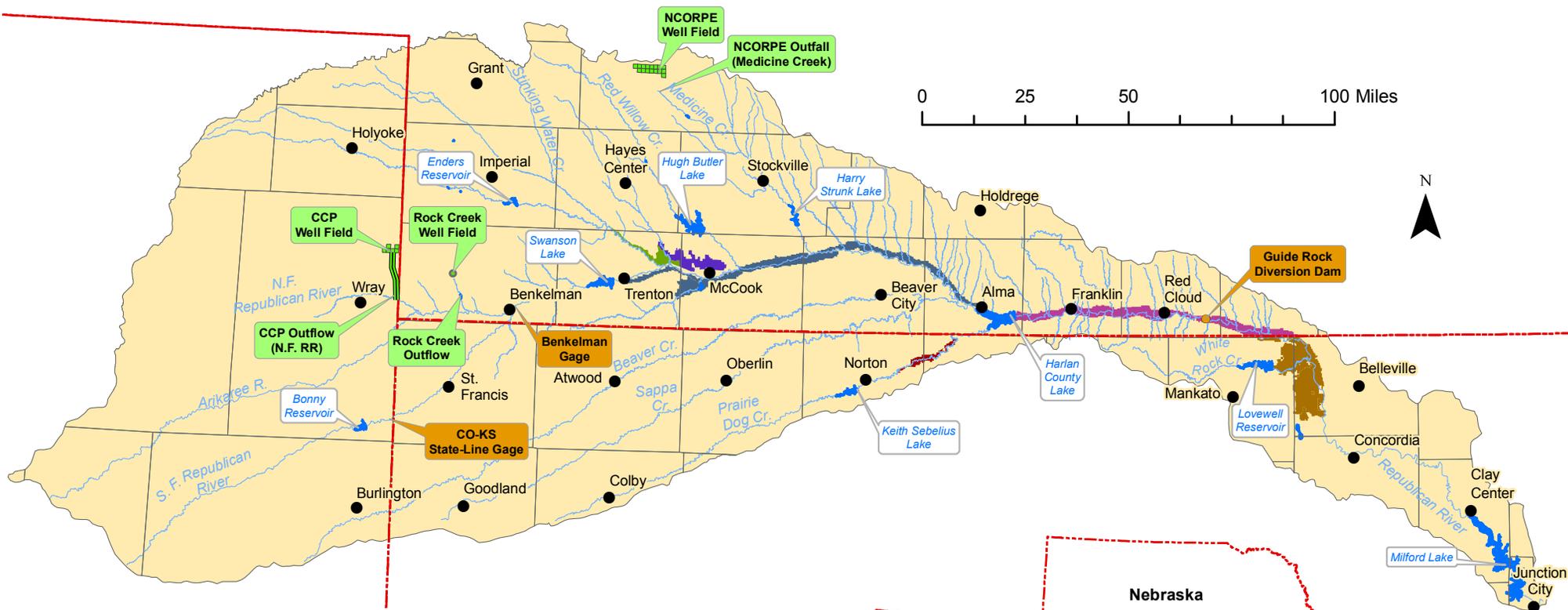
The Colorado long-term agreement provides a path forward to improve streamflow in the South Fork Republican River, which flows through Cheyenne County in northwest Kansas. Colorado will receive full credit in the Compact accounting for its augmentation deliveries on the North Fork Republican River, and has committed to retire an additional 25,000 groundwater-irrigated acres within the South Fork Republican River basin to improve flows into Kansas. Colorado and Kansas also agreed to explore opportunities to utilize Bonny Reservoir which Colorado drained in 2012 to help offset its overuse of the Basin's water supply and move Colorado closer to compliance with the Compact.

The Nebraska long-term agreement provides Kansas water users much more certainty that there will be a viable irrigation supply in dry periods. Nebraska will receive full credit in the Compact accounting for its compliance activities, including its augmentation deliveries, provided that the water generated by its activities (Compliance Water) is delivered to Harlan County Reservoir in Nebraska for Kansas water users' use.

The agreement provides Nebraska with an 18-month window, beginning in October before a year that is forecasted to be dry, to deliver the Compliance Water to Harlan County Lake, and provides Kansas with the ability to either call for delivery of this water as needed, or leave it in ground, not pumped by one of Nebraska's augmentation projects to meet the test of Compact compliance, to be available to Kansas water users at some future time when it's needed more.

The waters of the Republican River as it flows into northcentral Kansas through the Courtland Canal in Jewell County are used principally by the Kansas Bostwick Irrigation District, but there are other Kansas water users in the Upper Republican River Basin that may benefit from Nebraska's investment in Compact compliance. The agreement also sets a framework and a path forward to make water in excess of KBID's needs available to downstream users.

Republican River Compact Area Current Issues

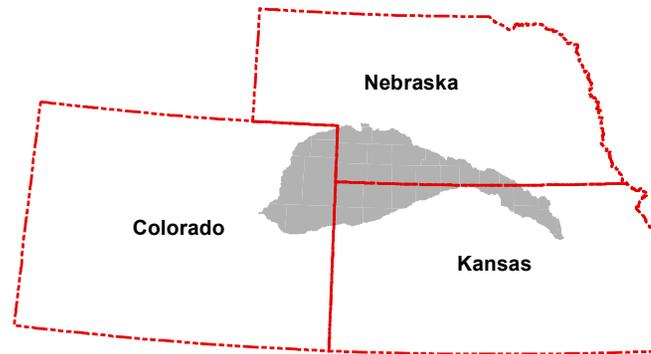


Map Features

- Republican River Basin
- State Borders
- Counties
- County Seats
- Lakes
- Streams
- Augmentation Projects
- Gaging Stations
- Lakes and Reservoirs

Republican River Irrigation Districts

- Almena Irrigation District
- Frenchman Valley Irrigation District
- Frenchman-Cambridge Irrigation District
- Hitchcock and Red Willow Irrigation District
- Kansas-Bostwick Irrigation District
- Nebraska-Bostwick Irrigation District



Kansas Department of Agriculture
Division of Water Resources
December 30, 2016