



How to Finish Out a Crop During Critical Period

The Edwards Aquifer Authority’s Critical Period Management (CPM) Rules allow irrigation users to finish out a crop planted either, prior to the implementation of CPM, or prior to the implementation of a higher stage of CPM (for example Stage II to Stage III). Under this provision, irrigation users who file a Notice of Intent to Finish Out a Crop form are allowed to finish out a crop already in the ground without being subject to a higher reduction than what was previously in place prior the declaration of the new CPM stage. To help you understand what this means to you, the EAA developed the following information to assist you in exercising your right to finish out a crop.

How to Exercise the Right to Finish Out a Crop

In order to exercise your right to finish out a crop you must notify the EAA by submitting a Notice of Intent to Finish Out a Crop form. The Notice of Intent to Finish Out a Crop form is due to the EAA no later than **30 days** after the declaration of CPM (when no stage of CPM was in effect immediately prior) or after a higher stage of CPM is declared from what was previously in place at the time of planting (for example Stage II to Stage III). **Irrigators can only file one Notice of Intent to Finish Out a Crop per calendar year.** The Notice of Intent to Finish Out a Crop form will be mailed to all irrigation users along with these instructions and is also available from the EAA website at www.edwardsaquifer.org. Irrigators failing to file a Notice of Intent to Finish Out a Crop form will be subject to full CPM withdrawal reductions.

A Notice of Intent to Finish Out a Crop form should be submitted for each place of use that will continue to be irrigated. The table below indicates how irrigation users finishing out a crop can continue irrigation to finish out a crop.

CATEGORY	EXAMPLES	CONTINUED IRRIGATION TO FINISH OUT CROP
Cereal and oil crops	Grasses (barley, corn, millets, oats, rye, sorghum, wheat), peanuts, sunflower etc.	Until harvested
Forage Crops	Legumes (alfalfa) and grasses (coastal Bermuda, etc.) used for hay production.	One additional cutting after submittal of notice of intent to finish out a crop is submitted.
Forage Crops	Legumes (alfalfa) and grasses (coastal Bermuda, etc.) used for grazing of livestock.	Until forage crop goes dormant
Fiber and Misc. Crops	Cotton, jute, flax, etc.	Until harvested
Tree and Fruit Crops	All fruit bearing trees	Until harvested
Vegetable Crops	Cabbage, cucumbers, melons, lettuce, onions, peppers, squash, etc.	Until harvested

You must complete the well and meter information on the designated form for each well listed under your groundwater withdrawal right permit, including current meter readings and the date of those meter readings. Additionally you must provide the EAA with crop information for the crop(s) being finished out in accordance with the above table.

It will be necessary to record the date of your final irrigation and meter reading after you have completed irrigation of your crop(s). This information will be necessary to complete your 2013 End of Year Report. At no time can an irrigator withdraw more than their annual authorized groundwater withdrawal amount in order to finish out a crop. The right to finish out a crop applies to the one or more crops already planted prior to implementation of CPM or a higher stage of CPM. Any crops planted while a CPM Stage is in effect will be subject to additional groundwater withdrawal reductions.

EXAMPLE OF FINISHING OUT A CROP IN UVALDE POOL (where no stage of CPM was in effect prior).

Stage II Timeframe: April 1 st to September 1 st (Stage II = 154 days at 5% reduction)
Annual Groundwater Withdrawal Amount: 200 acre-feet.
Crop Type: Corn
Planting Date: March 1 st
Amount pumped to complete crop: 200 acre-feet.

Result: Because the corn crop in this example was planted prior to the effective date of any CPM stage, a irrigator can exercise the right to finish out this crop without CPM reductions applied to their permit as long as a Notice of Intent to Finish Out a Crop form was submitted to the EAA within 30 days after the notice of commencement of CPM (April 30th). No withdrawal reductions are applied to the 200 acre-feet annual authorized groundwater withdrawal amount in this example.

EXAMPLE OF FINISHING OUT A CROP IN UVALDE POOL (where a lesser stage of CPM was in effect prior. In this example Stage III to Stage IV).

Stage III Timeframe: January 1 st to September 1 st (Stage III = 244 days at 20% reduction)
Stage IV Timeframe: September 2 nd to December 31 st . (Stage IV = 121 days at 35%)
Annual Groundwater Withdrawal Amount: 200 acre-feet.
Crop Type: Corn
Planting Date: March 1 st
Amount pumped to complete crop: 200 acre-feet.

Result: Because the corn crop in this example was planted prior to the effective date of a higher Stage of CPM (Stage IV) a irrigator can exercise the right to finish out this crop under the lesser Stage III reductions applied to their permit as long as a Notice of Intent to Finish Out a Crop form was submitted to the EAA within 30 days after the notice of commencement of Stage IV (October 2nd). In this example a 20% reduction is applied to the 200 acre-feet annual authorized groundwater withdrawal amount reducing the authorization to 160 acre-feet for the year. Because this irrigator pumped 200 acre-ft. he has over-pumped by 40 acre-ft. and is out of compliance with EAA rules.

Planting of Additional Crops during a Critical Period Management Stage

Persons exercising their right to finish out an already planted crop as stated above may plant additional crops while a critical period stage is in effect during the same calendar year, but must notify the EAA by submitting a Notice of Planting an Additional Crop form no later than **15 days** after an additional crop is planted. The Notice of Planting an Additional Crop form will be mailed to you along with these instructions and is also available from the EAA’s website at www.edwardsaquifer.org. Withdrawals made to pre-irrigate or to irrigate additional crops planted while a critical period management stage is in effect will be subject to critical period reduction and must be accounted for. It will be necessary to record the date of your first and final irrigation of your additional crop along with the beginning and ending meter readings. Please keep these dates

and meter readings for your records, as this information will be necessary to complete your 2013 End of Year Report.

EXAMPLE OF FINISHING OUT A CROP AND PLANTING OF ADDITIONAL CROP (where no stage of CPM was in effect prior).

Stage II Timeframe: April 1 st to September 1 st (Stage II = 154 days at 5% reduction)
Annual Groundwater Withdrawal Amount: 200 acre-feet
Crop1 Type: Corn
Planting Date Crop1: March 1 st
Date of Harvest: July 31 st
Amount pumped to complete Crop1: 100 acre-feet
Crop2 Type: Cucumbers
Planting Date Crop2: May 1 st

Result: Because the corn crop (Crop1) in this example was planted prior to the effective date of CPM an irrigator exercising the right to finish out this crop can do so without having their annual authorized withdrawal amount reduced as long as a Notice of Intent to Finish Out a Crop form was submitted to the EAA within 30 days after the notice of commencement of CPM (April 30th).

Also in this example, the irrigator exercises the option to plant an additional crop (Crop2, cucumbers). Within 15 days after the date Crop2 was planted a Notice of Planting an Additional Crop must be filed with the EAA. Because this crop (Crop2) was planted during CPM, the amount pumped to complete Crop1 must be deducted from the Annual Groundwater Withdrawal Amount which was 200 acre-feet, therefore 200 acre-feet – (minus) 100 acre-feet = 100 acre-feet remains. The withdrawal reductions only apply to the amount of permitted groundwater withdrawal rights remaining. The reduction calculation for the additional crop is based on the number of days after the harvest of the first crop (Crop1) until the end of Stage II CPM (August 1st to September 1st). In this example the number of days from August 1st to September 1st equals 32 days. The reduction calculation for the additional crop is as follows: $32/365 \times 5\% = .0044$ or .44%. The remaining 100 acre-feet is now reduced by .44% to the amount of 99.560 acre-feet. Using this example, as long as the amount of water pumped after harvest of the first crop (August 1st to December 31st) is less than the reduced authorized amount of 99.560 acre-feet the irrigator is in compliance with the mandatory Stage II CPM reductions. Please note that had the irrigator pumped more than 99.560 acre-feet after harvest of Crop1 (August 1st to December 31st), the irrigator would have exceeded their authorized withdrawal amount resulting in a violation of EAA rules.

EXAMPLE OF FINISHING OUT A CROP AND PLANTING OF ADDITIONAL CROP (where a lesser stage of CPM was in effect prior. In this example Stage III to Stage IV).

Stage III Commencement: January 1 st to September 1 st (Stage III = 244 days at 20% reduction)
Stage IV Commencement: September 2 nd to December 31 st (Stage IV = 121 days at 35%)
Annual Groundwater Withdrawal Amount: 200 acre-feet.
Crop Type: Corn
Planting Date: March 1 st
Date of Harvest: July 31 st
Amount pumped to complete crop1: 100 acre-feet.
Crop2 Type: Cucumbers
Planting Date Crop2: May 1 st

Result: Because the corn crop (Crop1) in this example was planted prior to the effective date of Stage IV an irrigator can exercise the right to finish out Crop1 under the lesser Stage III reductions of 20% applied to their annual authorized withdrawal amount as long as a Notice of Intent to Finish

Out a Crop form was submitted to the EAA within 30 days after the notice of commencement of Stage IV (October 2nd).

Also in this example, the irrigator exercises the option to plant an additional crop (Crop2, cucumbers). Within 15 days after the date Crop2 was planted a Notice of Planting an Additional Crop must be filed with the EAA. Because this crop (Crop2) was planted during CPM, a prorated reduction must be applied for the days the irrigator was subject to the Stage III reductions (January 1st to July 31st). The reductions are calculated as follows: $212 \text{ days}/365 \times 20\% = .116$ or 11.6% reduction applied to the total authorized withdrawal amount of 200 acre-ft. equals 176.800 acre-ft. After the reduction has been applied, the amount pumped to complete Crop1 must be deducted from the reduced annual groundwater withdrawal amount of 176.800 acre-feet, therefore 176.800 acre-feet – (minus) 100 acre-feet = 76.800 acre-feet remains. The withdrawal reductions for additional crops planted during the course of CPM will apply to the amount of permitted groundwater withdrawal rights remaining. The reduction calculation for the additional crop is based on the number of days after the harvest of the first crop (Crop1) until the end of Stage IV CPM (August 1st to December 31st). In this example there are two stages that over-lap from August 1st through December 31st, the number of days in Stage III from July 31st to September 1st equals 33 days. The Stage III reduction calculation for the additional crop is as follows: $33/365 \times 20\% = .018$ or 1.8% plus the days in Stage IV from September 2nd to December 31st. The Stage IV reduction is calculated as follows: $121/365 \times 35\% = .116$ or 11.6%, therefore Stage III reduction of 1.8% plus Stage IV reduction of 11.6% equals a total reduction of 13.4%, this percentage will be applied to the remaining 76.800 acre-feet reducing it to 66.509 acre-feet. The total amount available for this irrigator to irrigate an additional crop is 66.509 acre-ft. Using this example, as long as the amount of water pumped after harvest of the first crop (August 1st to December 31st) is less than the reduced authorized amount of 66.509 acre-feet the irrigator is in compliance with the mandatory Stage III and Stage IV CPM reductions. Please note that had the irrigator pumped more than 66.509 acre-feet after harvest of Crop1 (August 1st to December 31st), the irrigator would have exceeded their authorized withdrawal amount resulting in a violation of EAA rules.

Monthly Use Reporting

All Irrigation users within the Uvalde Pool, regardless of exercising the right to finish out a crop and having submitted a Notice of Intent to Finish a Crop form, are required to submit monthly groundwater withdrawal reports during a critical period stage.

How to find a copy of the EAA's Critical Period Rules

Copies of the complete CPM rules are available online at www.edwardsaquifer.org.

For additional information regarding Critical Period Management, please contact the Critical Period Team at (210) 477-1883 or (866) 931-3239.