

2013 Rules Change Overview

New URNRD rules approved in 2013 are designed to reduce water usage using two methods: Restricting the amount of carryforward irrigators can use during the allocation period; and discouraging those that are out of both allocation and carryforward in the last year of the allocation period from borrowing allocation from the next allocation period.

The Board approved the changes after reviewing estimates by URNRD staff of water use reductions that could reasonably be expected if the changes were implemented. The estimates were based on water use data from the previous five-year period, including the amount of water pumped by irrigators utilizing carryforward and borrowing allocation from the subsequent allocation period. Preventing the borrowing of allocation is expected to produce the largest savings over the allocation period, an estimated 60,000 acre feet.

The changes mark the first limits on carry-forward use and borrowing allocation in the District's 34-year history of regulating groundwater use.

New restrictions on how much carry-forward any tract can add to a pool were also enacted. Previously there was no limit; now it is limited to three years of allocation, or 39 inches for the current allocation period. The same limitation on carryforward applies to the transfer of allocation.

Combined, the rules changes will reduce water use more than a modest reduction in allocation. Reducing the allocation by $\frac{1}{2}$ inch, for example, would reduce water use by approximately 5,000 acre feet over the allocation period. The current allocation is 65 inches over the five-year period that began in 2013. Annualized, that is 13 inches a year. Comparatively, the rules changes could reduce water use by up to 90,000 acre feet over the allocation period.

Regarding the new carryforward limitation, the new rule states that once more than a total of 7.5 inches of carry-forward is used during the allocation period, an irrigator will lose an additional inch of carry-forward for every inch that is used. We stress that the limit is 7.5 inches total over the entire allocation period, not 7.5 inches a year. For instance, if 72.5 inches were used during the allocation period (7.5 inches above the 65-inch allocation), available carry-forward would be reduced at a 1-to-1 rate by the same 7.5 inches, just as the rules have operated in the past. But if 73.5 inches were used (8.5 inches above the 65-inch allocation), the available carry-forward would be reduced by a total of 9.5 inches: 8.5 inches of carry forward would be docked as usual because that was what was used, but an additional inch would be subtracted because carry forward used exceeded 7.5 inches.

Carry-forward reduced in the 2-to-1 accounting explained above could be retroactively returned to producers. This would occur if they underused their allocation during the next allocation period. For each inch of water use below the allocation during the next five-year allocation

period, an inch of carry-forward that was lost during the current allocation period under the 2-to-1 penalty would be regained.

Regarding the borrowing of allocation, in the past irrigators who used all their allocation and continued to irrigate had their allocation for the next allocation period reduced by the same amount by which they exceeded their allocation. The new rule change makes the 2-to-1 accounting approved for carry-forward also apply to those who borrow allocation from the next allocation period. In the case of borrowing allocation, the 2-to-1 accounting will begin as soon as his/her allocation is exceeded during the current allocation period. For example, if an irrigator without carry-forward in the last year of the allocation period uses 66 inches during the current allocation period – 1 inch more than the 65-inch allocation – the allocation for the subsequent period would be reduced by a total of 2 inches instead of one.