

**EDWARDS AQUIFER AUTHORITY  
State of Texas**

**IN THE MATTER OF THE FOLLOWING  
APPLICATION TO CONVERT BASE IRRIGATION  
GROUNDWATER:**

**P101-687  
(UV00436)**

**Steve Cargil**

**FINAL ORDER GRANTING APPLICATION  
TO CONVERT BASE IRRIGATION GROUNDWATER**

**ON THIS DAY CAME ON TO BE HEARD** the above-styled and numbered Application to Convert Base Irrigation Groundwater (“Conversion Application” or “Application”) of Steve Cargil (“Applicant”). As set forth below, the General Manager of the Edwards Aquifer Authority (“EAA”) issued notice of his proposed action on the Conversion Application. The Board of Directors (“Board”) of the EAA, after having reviewed and considered the summaries of the evidence for the Conversion Application as contained in the materials in the Board Packet, the arguments and presentation of the General Manager of the EAA, and the arguments and presentations of the Applicant, or its representatives, and other applicants or permittees, or their representatives, who may have appeared before the Board, is of the opinion and finds that:

1. the facts necessary to support the General Manager’s proposed action to grant the Conversion Application have been established by convincing evidence; and
2. the General Manager’s proposed action is entitled to prevail with reference to the above-styled and numbered application.

Accordingly, the Board is of the opinion and finds that the Conversion Application should be granted. In support of this Final Order, the Board makes its Findings of Fact and Conclusions of Law as follows:

## **FINDINGS OF FACT**

1. On March 15, 2001, Steve Cargil was granted Initial Regular Permit P101-687 (UV00436) by the EAA in the amount of 1227.800 acre-feet (“AF”) (613.900 AF of Base Irrigation Groundwater rights (“BIG”) and 613.900 AF of Unrestricted Irrigation Groundwater rights (“UIG”) based on the ownership of 627.402 acres of land, of which 613.900 acres were irrigated during the historical period (June 1, 1972 – May 31, 1993).

2. On February 10, 2009, pursuant to the EAA Board Approval of a Conversion Application, the EAA converted 268.267 AF BIG to UIG and reissued Regular Permit P101-687 (UV00436) in the amount of 1,503.100 AF (345.633 AF BIG and 1,157.467 AF UIG).

3. On February 15, 2024, Applicant filed a Conversion Application with the EAA at the official business offices located at 900 E. Quincy, San Antonio, Texas. Applicant seeks issuance of an order granting the conversion of 345.633 AF of BIG to UIG. The Applicant seeks a conversion of 291.231 AF of BIG to UIG based on a change in land use in accordance with EAA Rules § 711.342(c)(6)(A). Additionally, the Applicant provided documentation demonstrating that, because of the development activities associated with the solar farm, agricultural activities performed on the remainder of the land have the potential to compromise the health and safety of operators or of persons occupying or residing on property in close proximity to the operations of the solar farm in accordance with EAA Rules § 711.342(c)(6)(B).

4. After receipt of the Conversion Application, the General Manager of the EAA conducted an initial review of the Application for administrative completeness.

5. By letter dated February 26, 2024, the General Manager notified Applicant that he had determined that the Application was administratively complete.

6. After determining that the Conversion Application was administratively complete,

the General Manager conducted a technical review of the Application for the purpose of determining if the Application should be granted or denied, in whole or in part.

7. After completing the technical review of the Conversion Application, the General Manager concluded that he would recommend to the Board that the Application be granted. Specifically, the General Manager concluded that a regular permit be issued to Applicant after converting 291.231 acre-feet of BIG to UIG based on the physical development of 528.550 acres of HIL in accordance with EAA Rules § 711.342(c)(6)(A). The General Manager concluded that the granting of the Application associated with the 54.402 acre-feet of BIG associated with the 98.852 HIA that is no longer practicable to farm should be conditional and that a regular permit be issued to the Applicant after converting 54.402 acre-feet of BIG to UIG, but that the issuance of such approval shall not occur until the Applicant has demonstrated that a full five years on no irrigation has occurred on the associated HIA in accordance with EAA Rules § 711.342(a)(3)(a). The justification for the conditional approval of the conversion of the 54.402 acre-feet of BIG to UIG is that irrigation of the HIA is certain to not occur due to prohibitions on farming contained in the long-term land lease associated with the solar farm activities. Therefore, compliance with EAA Rules § 711.342(a)(3)(a) is certain to occur prior to conversion and issuance of a permit for the 54.402 acre-feet of groundwater withdrawal rights.

8. In conjunction with the proposed action, the General Manager prepared a Technical Summary.

9. On September 9, 2025, the General Manager provided written notice to Applicant by United States mail that the technical review of the Application was complete, provided the proposed action and Technical Summary in support thereof, and informed Applicant that Applicant's Conversion Application was scheduled for consideration at the regular meeting of the

Board on October 14, 2025, at the official offices of the Edwards Aquifer Authority, 900 E. Quincy, San Antonio, Texas.

10. The Docket Clerk of the EAA scheduled before the Board a presentation by the General Manager on the Conversion Application, his proposed action, and the proposed issuance of a Regular Permit in accordance therewith. The presentation occurred at the regular meeting of the Board held on October 14, 2025, at the official offices of the Edwards Aquifer Authority, 900 E. Quincy, San Antonio, Texas. Notice of public meeting for this meeting was duly and properly posted in accordance with Chapter 551, Texas Government Code. Additionally, an agenda item that is the subject of this Final Order was duly and properly listed in the notice of public meeting.

11. On September 3, 2025, September 4, 2025, and September 7, 2025, pursuant to EAA Rule § 707.525, Applicant published a Notice of Proposed Action on Application for Conversion of Base Irrigation Groundwater to Unrestricted Irrigation Groundwater in five (5) newspapers within the EAA's jurisdiction, outlining the General Manager's proposed action.

12. On September 8, 2025, pursuant to § 1.34 of the EAA Act and § 711.342(c) of the EAA's Rules, the EAA provided permit holders, by United States mail, a copy of the Notice of Proposed Action on Application for Conversion of Base Irrigation Groundwater to Unrestricted Irrigation Groundwater, outlining the General Manager's proposed action.

13. In accordance with §§ 707.525 and 707.603, the September 9, 2025 written letter to Applicant, the September 3, 2025, September 4, 2025, and September 7, 2025 newspaper publications, and the September 8, 2025 letter to permit holders provided notice of the right for any permit holder to request a contested case hearing on the Application and the General Manager's proposed action. The deadline to request a contested case hearing was October 7, 2025. No requests were received.

14. The Conversion Application was, contemporaneous with its receipt, affixed with a “date stamp” by the EAA to the front page of the Application indicating its date of receipt by the EAA.

15. Applicant paid the application fee of \$25 at the time the Conversion Application was filed with the EAA.

16. Applicant is not delinquent in the payment of any fee due and owing to the EAA, including but not limited to aquifer management fees.

17. Applicant has filed with the EAA all applicable reports.

18. The place of use set out in Regular Permit P101-687 (UV00436) includes irrigated land during the historical period. A description of the lands is as follows:

The tract(s) of land more fully described in Special Warranty Deed dated 1/29/2007 as recorded with Clerk as Document # 2007000587, Official Public Records, Uvalde County, Texas.

19. A change in land use has occurred relative to the HIL constituting the place of use set out in Regular Permit P101-687 (UV00436) such that, in accordance with EAA Rules § 711.342(c)(6)(A) and (B), 528.550 acres of HIL have been developed or classified as flood plain and 98.852 acres of HIL are no longer practicable to farm.

20. A map showing the location of the HIL is attached as Exhibit A.

21. Applicant is not required to submit a groundwater conservation plan to the EAA.

22. Applicant is in compliance with the Act, the EAA’s rules, other permits, and orders of the Board.

23. Applicant is the owner of the land to which the BIG that is the subject of the Conversion Application is appurtenant.

24. Applicant was not required to submit a new survey of the historically irrigated acres

constituting the place of use set out in Regular Permit P101-687 (UV00436).

### **CONCLUSIONS OF LAW**

1. Because the Conversion Application seeks to convert BIG in the IRP to UIG associated with a groundwater withdrawal permit issued by the EAA, the Board of Directors of the EAA has jurisdiction over the Application.

2. The Conversion Application meets the requirements of Sections § 711.342(c)(6)(A) and (B) of the EAA Rules and, therefore, a change in land use has occurred relative to the historically irrigated lands constituting the place of use set out in Regular Permit P101-687 (UV00436) such that these lands have been developed.

3. The Conversion Application otherwise complies with the Act and the EAA's Rules.

4. Accordingly, the Conversion Application should be granted in accordance with this Final Order, hereby converting 291.231 AF/yr of BIG to UIG and conditionally converting 54.402 AF/yr of BIG to UIG associated with Regular Permit P101-687 (UV00436) and the historically irrigated lands constituting the place of use for this Permit.

### **ORDERING PROVISION**

**IT IS THEREFORE ADJUDGED, ORDERED, AND DECREED** that the above-styled and numbered Conversion Application is hereby **GRANTED** as follows:

1. the General Manager is directed to advise Applicant in writing of the issuance and effect of this Final Order;

2. when appropriate as determined by the General Manager, including the conditional provisions described above, the General Manager is directed to prepare amended Regular Permits to Applicant in the form of the approved Regular Permit form without a place of use or point of withdrawal pursuant to § 711.324(g) of the EAA Rules, subject to the Conditions for Regular

Permits as may be in effect at the time, for presentation to the Chairman of the Board of Directors of the EAA for execution; and

3. the General Manager is directed to make appropriate adjustments, changes, or modifications to the EAA's permits and water accounting database consistent with the issuance and effect of this Final Order.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE EDWARDS  
AQUIFER AUTHORITY THIS 14<sup>TH</sup> DAY OF OCTOBER 2025.

---

**ENRIQUE P. VALDIVIA**  
Chairman, Board of Directors  
Edwards Aquifer Authority

**ATTEST:**

---

**BENJAMIN F. YOUNGBLOOD, III**  
Secretary, Board of Directors  
Edwards Aquifer Authority

**APPROVED AS TO FORM:**

---

DEBORAH TREJO  
General Counsel