

of Law as follows:

FINDINGS OF FACT

1. On January 31, 2001, Joe M. Fohn and Charles H. Fohn were granted Initial Regular Permit 2001-ME00349 by the EAA in the amount of 1,450.800 acre-feet/year (“AF/yr”), being 725.400 AF/yr base irrigation groundwater rights (“BIG”) and 725.400 AF/yr unrestricted irrigation groundwater rights (“UIG”), based on the ownership of 725.400 acres irrigated during the historical period (June 1, 1972 – May 31, 1993).

2. On July 12, 2011, due to the partition of 415.029 historically irrigated acres associated with Regular Permit P100-227 (ME00349) from Joe M. Fohn and Charles H. Fohn to Joe M. Fohn and Elizabeth R. Fohn, pursuant to Partition Deed dated December 14, 2010, and recorded as Document # 2010007841, Official Public Records, Medina County, Texas, the EAA issued Regular Permit P105-122 (ME00349) in the amount of 752.800 AF/yr (419.670 BIG and 333.130 UIG) to Joe M. Fohn and Elizabeth R. Fohn.

3. On April 14, 2015, due to the sale of 415.029 historically irrigated acres associated with Regular Permit P105-122 (ME00349) from Elizabeth R. Fohn, Individually and as Independent Executrix of the Estate of Joe M. Fohn, Deceased to J&E Fohn, Ltd., pursuant to General Warranty Deed dated December 28, 2012, and recorded as Document # 2012008967, Official Public Records, Medina County, Texas, the EAA reissued Regular Permit P105-122 (ME00349) in the amount of 752.800 AF/yr (419.670 BIG and 333.130 UIG) to J&E Fohn, Ltd.

4. On July 8, 2025, due to the sale of 168.000 historically irrigated acres associated with Regular Permit P105-122 (ME00349) from J&E Fohn, Ltd. to EDMRGE Farms 1, LTD, pursuant to General Warranty Deed dated May 28, 2025, and recorded as Document # 2025005002, Official Public Records, Medina County, Texas, the EAA issued Regular Permit

P201-866 (ME00349) in the amount of 169.826 AF/yr (169.826 BIG) to EDMRGE Farms 1, LTD.

5. On February 19, 2026, 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 Application to convert 51.895 AF/yr of BIG to UIG.

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

7. By letter dated February 20, 2026, the General Manager notified Applicant that he had determined that the Application was administratively complete.

8. 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.

9. 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 in full, and a regular permit be issued to Applicant after converting 51.895 acre-feet BIG to UIG based on the installation of water savings equipment.

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

11. On March 9, 2026, 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 April 14, 2026, at the official offices of the Edwards Aquifer Authority, 900 E. Quincy, San Antonio, Texas.

12. 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 April 14, 2026, 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.

13. 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.

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

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

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

17. The place of use set out in Regular Permit P201-866 (ME00349) includes irrigated land during the historical period. A description of the lands is as follows:

The tract(s) of land more fully described in General Warranty Deed dated 05/28/2025 as recorded with the County Clerk as Document #2025005002, Official Public Records, Medina County, Texas.

18. The water conservation equipment is described as one Zimmatic Pivot, in optimum condition, irrigating a combined 81.272 acres. The low elevation spray application system (LESA) is equipped with new hoses and nozzles/applicators, which were installed respectively in 2024. Operation of this equipment results in a lesser amount of groundwater from the Aquifer being

withdrawn for irrigation purposes at the place of use identified in the Regular Permit.

19. A map showing the location of the historically irrigated acres is attached as Exhibit A.

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

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

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

23. Applicant was not required to submit a new survey of the historically irrigated acres constituting the place of use set out in Regular Permit P201-866 (ME00349).

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(5) of the EAA Rules and, therefore, conservation has occurred relative to the historically irrigated acres constituting the place of use set out in Regular Permit P201-866 (ME00349) due to the installation of the conservation equipment.

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 51.895 AF/yr of BIG to UIG associated with Regular Permit P201-866 (ME00349) and the historically irrigated acres 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, the General Manager is directed to prepare an amended Regular Permit to Applicant in the form of the approved Regular Permit form 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 14TH DAY OF APRIL 2026.

ENRIQUE VALDIVIA
Chairman, Board of Directors
Edwards Aquifer Authority

ATTEST:

RACHEL SANBORN
Secretary, Board of Directors
Edwards Aquifer Authority

APPROVED AS TO FORM:

DEBORAH TREJO
Legal Counsel