

**Conversion of Base Irrigation Groundwater Application Summary
Conversion Based on Change in Land Use or No Longer Practicable to Farm
Yellowstone Real Estate, Inc.**

Permit Number: P100-179 (BE00071)
Purpose of Use: Irrigation
Place of Use: Bexar County
Currently Permitted Amount: 48.580 acre-feet
Irrigation Base Amount: 48.580 acre-feet
Irrigation Unrestricted Amount: 0.000 acre-feet
Date Board Issued Regular Permit: June 14, 2022

Number of acre-feet applicant requested to be converted from base irrigation to unrestricted irrigation groundwater:

48.580 acre-feet

Number of acre-feet staff recommends be converted from base irrigation to unrestricted irrigation groundwater:

48.580 acre-feet

Place of Use for Permit:

38.69 historically irrigated acres (HIL)

The tract(s) of land more fully described in Warranty Deed dated 05/20/2022 as recorded with the County Clerk as Document #20220129987, Official Public Records, Bexar County, Texas.

Current Physical Description of Place of Use:

The place of use consists of 38.69 HIL located in the just off Old Talley Rd in NW Bexar, near the Bexar/Medina county line. There is stacked BIG due to the leasing and irrigation of 11.68 HIL during the historical period. The well used to irrigate the HIL (W100-139) has been plugged.

Description of Change in Land Use:

On April 16, 2026, 2026, EAA staff conducted a site visit and determined that a described 29.548 HIL tract has been developed into a single home family subdivision as evidenced by current construction of utility systems, including underground water, sewer and drainage, and gradation of streets. (Exhibits B,C,D). Applicant provided documentation that the remaining 9.142 HIL are no longer practicable to farm based on the HIL not being irrigated for more than five years and are surrounded by development in close proximity: city subdivisions south and east; new large home complex and homesteads on the north (E,F,G). Additionally, applicant provided documentation stating that because of

development on land in close proximity to the HIL, agricultural activities performed on the HIL, including crop dusting or other applications of pesticides, have the potential to compromise the health and safety of a farm operator or of persons occupying or residing on property in close proximity to the HIL, and transportation of large farm equipment on city streets could cause safety and liability issues.

Staff Calculations:

In accordance with Section 1.34 of the EAA Act and Sections 711.342(c)(6) of the EAA rules, 29.548 HIL have become developed land and 9.142 HIL are no longer practicable to farm. EAA staff calculates the amount of BIG eligible for conversion at 48.580 acre-feet of BIG.

Staff Recommendation:

EAA Staff recommends an approval of the Application to Convert Base Irrigation Groundwater, converting the 48.580 acre-feet of BIG appurtenant to the 38.69 HIL.