

# PARCEL MAP



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NOTICE OFFER IS SUBJECT TO ERRORS, OMISSIONS, PRIOR SALE, CHANGE OR WITHDRAWAL WITHOUT NOTICE, AND APPROVAL OF PURCHASE BY OWNER. INFORMATION REGARDING LAND CLASSIFICATION, CARRYING CAPACITIES, MAPS, ETC., IS INTENDED ONLY AS A GENERAL GUIDELINE AND HAS BEEN PROVIDED BY THE OWNERS AND OTHER SOURCES DEEMED RELIABLE, BUT THE ACCURACY CANNOT BE GUARANTEED. PROSPECTIVE PURCHASERS ARE ENCOURAGED TO RESEARCH THE INFORMATION TO THEIR OWN SATISFACTION.





 Boundary



# LIST PACK





# Fidelity National Title

## PORTLAND

### Property Profile Report

15000 SW OLDSVILLE RD MCMINNVILLE, OR 97128

#### Ownership Information

Owner Name: J BACON FARMS LLC  
Mailing Address: 13801 SW MASONVILLE RD MCMINNVILLE, OR 97128-8505

#### Property Description

County: Yamhill Map / Tax Lot: R5511 /00200  
Account Num: 208144 Owner Occ.: No  
Land Use: Mobile/Manufactured Home (regardless of Land ownership) Census:  
Subdivision:  
Legal Description: PARCEL 2 OF PARTITION P2013-07

#### Property Characteristics

Property Type:	MOBILE HOME	Building SF:	Heat:
House Style:		Living Area SF:	Cooling:
Year Built:		Square Feet:	Foundation:
Bedrooms:		1st Floor SF:	Exterior:
Bathrooms:		2nd Floor SF:	Roof Style:
Lot Size:	3,920,400	3rd Floor SF:	Roof Cover:
Acres:	90	Attic SF:	Fireplaces:
Garage Type:		Bsmnt SF:	Bsmnt Type: NOT SPECIFIED
Garage SF:		Fin Bsmt SF:	

#### Assessment Information

Real Market Value:	\$ 838,821	Land Value:	\$ 484,652	Imp. Value:	\$ 354,169
Total Assessed Value:	\$ 283,632	Levy Code:	40.2	M-5 Rate:	11.6163
Taxes:	\$ 3,289.93	Tax Year:	2021	Assessed Year:	2021

#### Previous Sale Information

Sale Amount: \$ 1,260,000 Sale Date: 06/04/2015 Document Num: 201507767

#### Transaction History

Sale Date	Sale Amount	HPI Sale Amount	Document Type	Reception Num	Book/Page
6/4/2020	\$ 0		Bs	202009223	/
6/4/2020	\$ 0		Bs	202009019	/
6/4/2015	\$ 1,260,000		Cs	201507767	/

*All information provided by ValueCheck, Inc is deemed reliable, but not guaranteed.  
Accuracy of the information may vary by county.*

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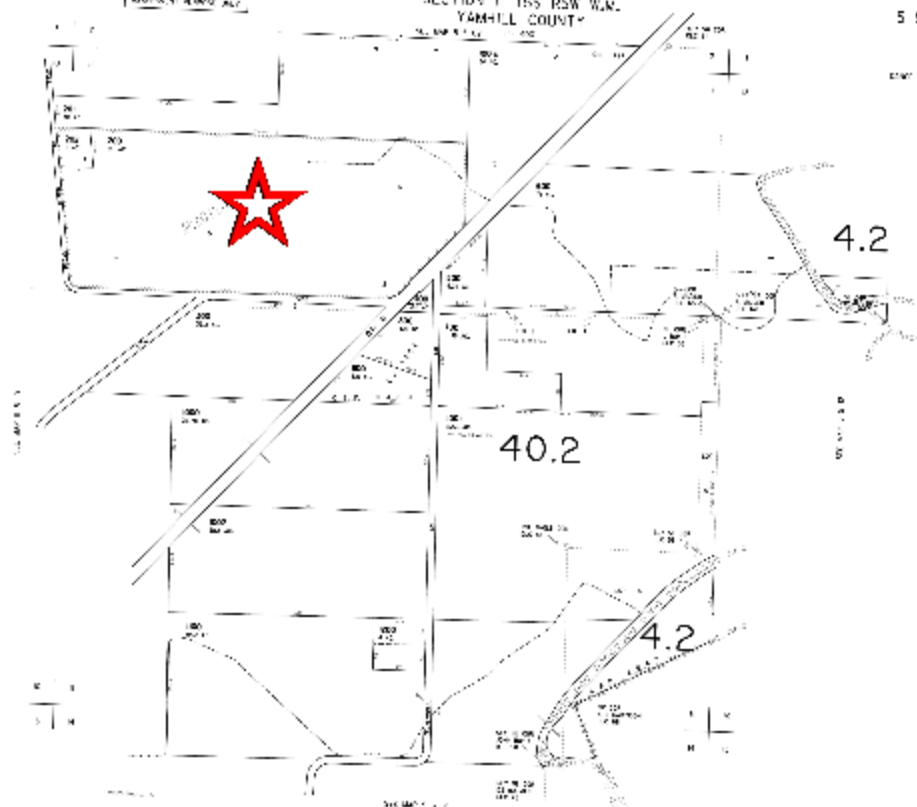


SECTION 1 1N5 R5W W.M.  
YAMHILL COUNTY

SECTION 1 1N5 R5W W.M.  
YAMHILL COUNTY

5 5 1

5 5 1



5 5 1

**7/1/2021 to 6/30/2022 REAL PROPERTY TAX STATEMENT**

YAMHILL COUNTY, OREGON 535 NE 5TH ST., ROOM 42, MCMINNVILLE, OR 97128 (503) 434-7521

**PROPERTY LOCATION**14555 SW OLDSVILLE RD  
MCMINNVILLE, OR 97128**ALT NO: R5511 00200**

Account Acres: 90.0000

**ACCOUNT NO: 208144**

Tax Code Area: 40.2

Potential Additional Tax Liability  
For Special Assessment**2021 - CURRENT TAX BY DISTRICT:**

CHEMEKETA COMM COLLEGE	177.53
MCMINNVILLE SD 40	1,176.90
WILLAMETTE REG ESD	84.15
<b>EDUCATION TOTAL:</b>	<b>1,438.58</b>

CHEMEKETA LIBRARY	23.20
MCMINNVILLE RFPD	271.61
YAMHILL CO EXT SERVICE	12.74
YAMHILL CO SOIL & WATER	10.04
YAMHILL COUNTY	731.05
<b>GENERAL GOVERNMENT TOTAL:</b>	<b>1,048.64</b>

CHEMEKETA COLLEGE BOND	75.99
MCMINNVILLE SD 40 BOND	726.72
<b>BONDS AND OTHER TOTAL:</b>	<b>802.71</b>

**2021 - 2022 TAX BEFORE DISCOUNT 3,289.93****VALUES:****LAST YEAR****THIS YEAR****REAL MARKET VALUES (RMV):**

LAND	450,833	484,652
STRUCTURES	100,213	354,169
RMV TOTAL	551,046	838,821

M5 REAL MARKET TOTAL: 353,322 611,219

ASSESSED VALUE: 135,303 283,632

TOTAL TAXABLE 135,303 283,632

PROPERTY TAXES: 1,571.72 3,289.93

When a mortgage company requests your tax information this statement is yellow and for your records only.

Online or Telephone payment options available - for instructions and conditions go to: [www.co.yamhill.or.us/assessor](http://www.co.yamhill.or.us/assessor)**TOTAL (after discount): 3,191.23**

Delinquent tax amount is included in payment options listed below.

(See back of statement for instructions)

**TAX PAYMENT OPTIONS**

<u>Payment Options</u>	<u>Date Due</u>	<u>Discount Allowed</u>	<u>Net Amount Due</u>
FULL PAYMENT	Nov 15, 2021	98.70 3% Discount.....	\$3,191.23
2/3 PAYMENT	Nov 15, 2021	43.87 2% Discount.....	\$2,149.42
1/3 PAYMENT	Nov 15, 2021	No Discount.....	\$1,096.65

NO STATEMENTS ARE SENT FOR THE FEBRUARY 15 OR MAY 15 INSTALLMENT DATES IF PAYING THE 2/3 OR 1/3 OPTION.

↑ TEAR  
HERE**PLEASE RETURN THIS PORTION WITH YOUR PAYMENT** See back of statement for instructionsTEAR  
HERE ↑**2021 - 2022 Property Tax Payment Yamhill County, Oregon****PROPERTY LOCATION: 14555 SW OLDSVILLE RD****ACCOUNT NO: 208144**


Delinquent tax amount is included in payment options listed below

<b>FULL PAYMENT</b>	<b>(Includes 3% Discount)</b>	<b>DUE Nov 15, 2021</b>	<b>\$3,191.23</b>
<b>2/3 PAYMENT</b>	<b>(Includes 2% Discount)</b>	<b>DUE Nov 15, 2021</b>	<b>\$2,149.42</b>
<b>1/3 PAYMENT</b>	<b>(No Discount offered)</b>	<b>DUE Nov 15, 2021</b>	<b>\$1,096.65</b>

DISCOUNT IS LOST AND INTEREST APPLIES AFTER DUE DATE



Mailing address change on back

**Enter Amount Paid**Please make payment to:  
**YAMHILL COUNTY TAX COLLECTOR**  
PO BOX 6369  
PORTLAND, OR 97228-63691/1 14371  


36 00208144 0000319123 0000214942 0000109665 0



# Property Account Summary

5/24/2022



Click image above for more information

Account Number	208144	Property Address	14555 SW MCCABE CHAPEL RD , MCMINNVILLE, OR 97128
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## General Information

Alternate Property #	R5511 00200
Property Description	PARCEL 2 OF PARTITION P2013-07
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	40.2
Remarks	POTENTIAL ADDITIONAL TAX LIABILITY

## Tax Rate

Description	Rate
Total Rate	11.5993

## Property Characteristics

Neighborhood	Rural Mac MFH With Land
Land Class Category	559 Farm EFU Manufactured Home
Account Acres	90.0000
Change Property Ratio	Farm

## Related Properties

No Related Properties Found
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## Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
Assessed Value AVR	\$283,632	\$135,303	\$131,485	\$127,807	\$123,551
Exempt Value EAR					
Taxable Value TVR	\$283,632	\$135,303	\$131,485	\$127,807	\$123,551
Real Market Land MKLTL	\$484,652	\$450,833	\$416,483	\$425,912	\$752,198
Real Market Buildings MKITL	\$354,169	\$100,213	\$96,935	\$75,968	\$82,835
Real Market Total MKTTL	\$838,821	\$551,046	\$513,418	\$501,880	\$835,033
M5 Market Land MKLND	\$5,274	\$4,893	\$4,510	\$4,617	\$8,241
M5 Limit SAV M5SAV	\$251,776	\$248,216	\$241,363	\$227,568	\$207,721
M5 Market Buildings MKIMP	\$354,169	\$100,213	\$96,935	\$75,968	\$82,835
M50 MAV MAVMK	\$207,097	\$60,815	\$59,044	\$57,324	\$55,654
Assessed Value Exception	\$144,458				
Market Value Exception	\$237,987				
SA Land (MAVUSe Portion) SAVL	\$76,535	\$74,488	\$72,441	\$70,483	\$67,897



## Active Exemptions

No Exemptions Found

## Tax Balance

No Charges are currently due. If you believe this is incorrect, please contact the Assessor's Office.

## Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
12/08/2021 11:40:00	<a href="#">1186618</a>	\$113.32	\$113.32	\$113.32	\$0.00
11/18/2021 13:20:00	<a href="#">1181559</a>	\$3,191.23	\$3,304.55	\$3,191.23	\$0.00
11/06/2020 15:49:00	<a href="#">1106407</a>	\$1,571.72	\$1,571.72	\$1,524.57	\$0.00
11/18/2019 15:25:00	<a href="#">1082163</a>	\$1,529.21	\$1,529.21	\$1,483.33	\$0.00
11/02/2018 12:28:00	<a href="#">1010414</a>	\$1,486.60	\$1,486.60	\$1,442.00	\$0.00
11/08/2017 00:00:00	<a href="#">968084</a>	\$1,438.80	\$1,438.80	\$1,395.64	\$0.00

## Sales History

Transfer Date	Receipt Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Other Parcels
06/08/2020	06/23/2020	2020-09223	\$0.00	263139		S	No
06/05/2020	06/22/2020	2020-09019	\$0.00	263104		S	No
06/05/2015	06/05/2015	2015-07767	\$1,260,000.00	166796		S	No
01/14/1993	01/14/1993	1993-00556	\$80,000.00	64775		S	No

## Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths



## RECORDING COVER SHEET

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the Transaction(s) contained in the instrument itself

This space reserved for use by the County Recording Office

After recording return to:  
**J. Bacon Farms, LLC**  
**13801 SW Masonville Rd**  
**McMinnville, OR 97128**

Yamhill County Official Records **202009223**  
DMR-DDMR  
Stn=1014 JENSENC **06/08/2020 04:29:00 PM**  
5Pgs \$25.00 \$11.00 \$5.00 \$60.00 **\$101.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Brian Van Bergen - County Clerk

**1) Title(s) of Transaction(s) ORS 205.234(a)**  
**Bargain and Sale Deed**

**2) Direct Party/Grantor(s) ORS 205.125(1)(b) and ORS 205.160**  
**Mary Beth Bernards, John G. Bernards, JMB Farms, LLC, and John G. Bernards and Mary Beth Bernards, Co-Trustee, or the successor Trustee under the John G. Bernards Trust dated January 9, 2019**

**3) Indirect Party/Grantee(s) ORS 205.125(1)(a) and ORS 205.160**  
**J. Bacon Farms, LLC**

**4) True and Actual Consideration ORS 93.030**  
**\$Contract Fulfillment**

**5) Send Tax Statements to:**  
**Same as above**

☒

: If this box is checked, the below applies:

If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "Rerecorded at the request of Yamhill County to correct Contract Assignment document number to be 201800535, previously recorded as Fee Number 202009019."

(Legal description if corrected is attached to included certified document of the original.)

FIRST AMERICAN TITLE 3436357

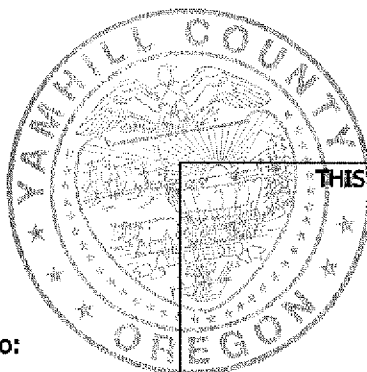




After recording return to:  
J. Bacon Farms, LLC  
13801 SW Masonville Road  
McMinnville, OR 97128

Until a change is requested all tax  
statements shall be sent to the  
following address:  
J. Bacon Farms, LLC  
13801 SW Masonville Road  
McMinnville, OR 97128

File No.: 1031-3436357 (MWG)  
Date: May 27, 2020



STATE OF OREGON }  
COUNTY OF YAMHILL } SS.  
I, Brian Van Bergen, for the County of Yamhill and State of Oregon, do  
Herby certify that the foregoing copy of

THIS SPACE STATUTORY BARGAIN AND SALE DEED

4 PAGES

has been by me compared with the original and that it is a correct transcript  
therefrom, and the whole of such original is the same appears of record at  
my office and in my custody in witness hereof I have hereunto set my hand  
and affixed the seal of said county.

This 8th Day of June A.D. 2020

By *[Signature]*  
Terence Sutton - Deputy County Clerk  
Brian Van Bergen, Yamhill County Clerk

Yamhill County Official Records **202009019**  
DMR-DDMR **06/05/2020 11:02:00 AM**  
Stn=1014 JENSENC  
4Pgs \$20.00 \$11.00 \$5.00 \$60.00 **\$96.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify  
that the instrument identified herein was recorded in the Clerk  
records.

Brian Van Bergen - County Clerk

## STATUTORY BARGAIN AND SALE DEED

**Mary Beth Bernards, John G. Bernards, JMB Farms, LLC, and John G. Bernards and Mary Beth Bernards, Co-Trustees, or the successor Trustee under the John G. Bernards Trust dated January 9, 2019, Grantor, conveys to J. Bacon Farms, LLC, Grantee, the following described real property:**

See Legal Description attached hereto as Exhibit A and by this reference Incorporated herein.

The true consideration for this conveyance is: **Fulfillment of that certain Contract and Memorandum of Contract recorded June 5, 2015 as Instrument No. 201507767 and Assignment of Sellers' Interest in Contract of Sale recorded January 10, 2018 as Instrument No. 21800535.** (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

FIRST AMERICAN TITLE 3436357

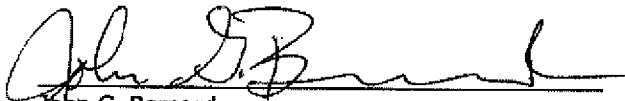



APN: 208144

Bargain and Sale Deed  
- continued


File No.: 1031-3436357 (MWG)  
Date: 05/27/2020

Dated this 4 day of June, 2020.

  
John G. Bernards

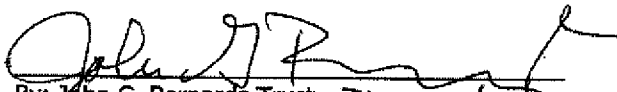
  
Mary Beth Bernards

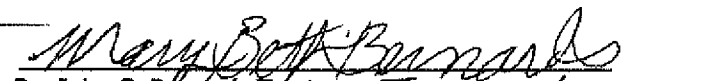
John G. Bernards Trust

By:   
John G. Bernards, Co-Trustee *Trustee*

By:   
Mary Beth Bernards, Co-Trustee *trustee*

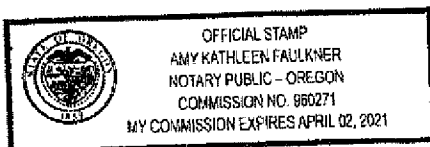
JMB Farms, LLC

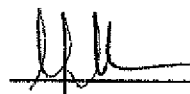
By:   
By: John G. Bernards Trust *Trustee/Member*  
By: John G. Bernards, Co-Trustee and Member

By:   
By: John G. Bernards Trust *Trustee/Member*  
By: Mary Beth Bernards, Co-Trustee and Member

STATE OF Oregon )  
County of Yamhill ) ss.

This instrument was acknowledged before me on this 4 day of June, 2020  
by **John G. Bernards, Mary Beth Bernards, John G. Bernards and Mary Beth Bernards, Co**  
**Trustees of the John G. Bernards Trust as members of JMB Farms, LLC on behalf of the**  
**limited liability company, and John G. Bernards and Mary Beth Bernards, Co-Trustees of the**  
**John G. Bernards Trust on behalf of the Trust.**



  
Notary Public for Oregon  
My commission expires: April 2, 2021



**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Yamhill, State of Oregon, described as follows:

**UNSURVEYED Parcel 2 of Partition Plat No. 2013-07, recorded May 1, 2013, Document No. 201306562, Official Records, in Yamhill County, Oregon, more particularly described as follows:**

**TRACT 1:**

**All that part of the following described property lying East of County Road No. 432:**

**Being a part of Sections 2, 3, 10 and 11, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon more particularly described as follows:**

**BEGINNING at the Northwest corner of the Richard Miller Donation Land Claim No. 65; thence South 17.20 chains; thence East 45.24 chains; thence North 22.48 chains; thence West 45.24 chains to the West line of said Miller Claim; thence South 5.28 chains to the place of beginning.**

**TRACT 2:**

**All of the following described real property in Yamhill County, Oregon, East of County Road No. 432:**

**Commencing at a point 17.20 chains South of the Northwest corner of the Donation Land Claim of Richard Miller and wife, Claim No. 65, Notification No. 2359 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon; thence South 5.45 chains; thence East 4 chains; thence South 11.15 chains; thence East 16 chains; thence North 1.15 chains; thence East 40.43 chains to a stake in the center of the County Road leading from McMinnville to Sheridan; thence North 42° East with the center of said Road, 11.93 chains; thence North 23.85 chains; thence West 23.26 chains; thence South 17.20 chains; thence West 45.24 chains to the place of beginning.**

**EXCEPTING that portion described in that certain Warranty Deed dated April 18, 1947 and recorded May 5, 1947 in Volume 142, Page 414, to the State of Oregon, by and through its State Highway Commission.**

**FURTHER EXCEPTING from the above tract the following described Tracts A & B, to-wit:**

**A: Part of Section 2, 3, 10 and 11, in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, further described as follows:**

**Commencing at a stone at the northwest corner of the Richard Miller Donation Land Claim in said Section 3; thence North 00° 20' West 5.28 chains to a stone monument at an old fence**

APN: 208144

Bargain and Sale Deed  
- continued

File No.: 1031-3436357 (MWG)  
Date: 05/27/2020

corner; thence East 1,056.18 feet to an iron pipe set on the East line of County Road No. 432, marking the point of beginning; thence East 1,926.66 feet to an iron pipe; thence South 929.00 feet to an iron pipe; thence West 1,821.35 feet to an iron pipe set on the East line of said County Road; thence North 6° 39' West 935.30 feet to said point of beginning.

**B: Part of the Richard Miller Donation Land Claim No. 65 in Sections 2, 10 and 11 of Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:**

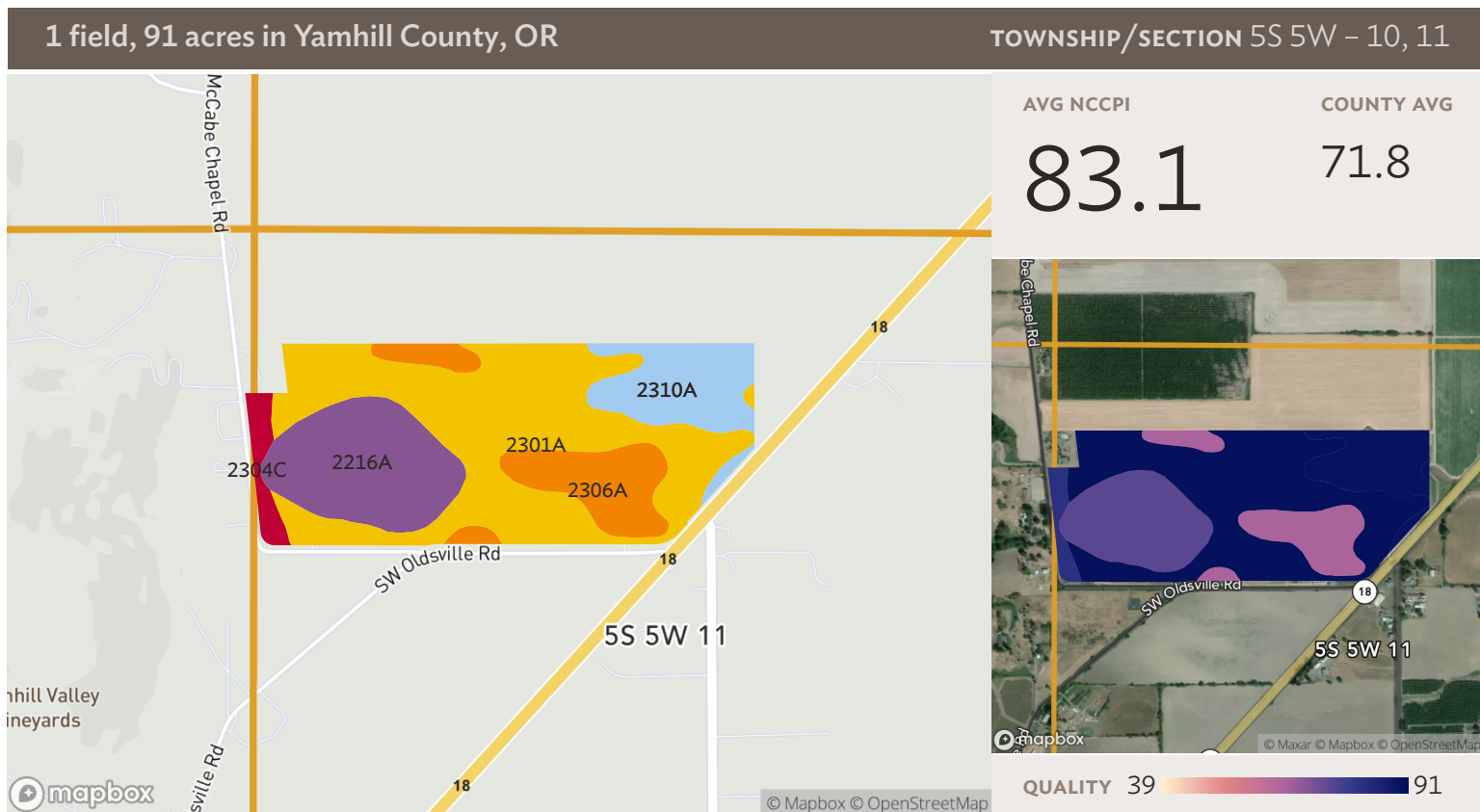
Beginning at an iron pipe set on the North line of the Richard Miller Donation Land Claim No. 65 at a point being North 89° 59' East 2,960.61 feet from the Northwest corner of said Claim; thence North 89° 59' East along said Claim line a distance of 1,535.16 feet to iron pipe; thence South 835.70 feet to an iron pipe; thence West 3,346.94 feet to railroad spike set in the center of County Road No. 432 (from which an iron pipe bears East 20.13 feet); thence North 6° 39' West along the center of said County Road, a distance of 256.30 feet to an iron pipe; thence East 1,841.48 feet to an iron pipe; thence North 580.68 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM that portion described as Parcel 1, Partition Plat No. 2013-07, recorded May 1, 2013, Document No. 201306562, Official Records, in Yamhill County, Oregon.**



# SOILS





## All fields

Source: NRCS Soil Survey

91 ac.

SOIL CODE	SOIL DESCRIPTION	ACRES	PERCENTAGE OF FIELD	SOIL CLASS	NCCPI
■ 2301A	Amity silt loam, 0 to 3 percent slopes	45.02	49.7%	2	89.9
■ 2216A	Chehalem silty clay loam, volcanic, 0 to 3 percent slopes	18.65	20.6%	2	74.5
■ 2306A	Dayton silt loam, 0 to 2 percent slopes	12.20	13.5%	3	65.3
■ 2310A	Woodburn silt loam, 0 to 3 percent slopes	12.01	13.2%	1	89.2
■ 2304C	Carlton silt loam, 2 to 12 percent slopes	2.78	3.1%	2	81.3
					<b>90.66</b>
					<b>83.1</b>



# WATER RIGHTS



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NOTICE OFFER IS SUBJECT TO ERRORS, OMISSIONS, PRIOR SALE, CHANGE OR WITHDRAWAL WITHOUT NOTICE, AND APPROVAL OF PURCHASE BY OWNER. INFORMATION REGARDING LAND CLASSIFICATION, CARRYING CAPACITIES, MAPS, ETC., IS INTENDED ONLY AS A GENERAL GUIDELINE AND HAS BEEN PROVIDED BY THE OWNERS AND OTHER SOURCES DEEMED RELIABLE, BUT THE ACCURACY CANNOT BE GUARANTEED. PROSPECTIVE PURCHASERS ARE ENCOURAGED TO RESEARCH THE INFORMATION TO THEIR OWN SATISFACTION.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN G BERNARDS  
14555 SW MCCABE CHAPEL RD  
MCMINNVILLE OR 97128

confirms the right to use the waters of SOUTH YAMHILL RIVER for IRRIGATION of 28.1 ACRES.

This right was perfected under Permit S-51712. The date of priority is NOVEMBER 17, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.35 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is April 1 through April 30.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
5 S	5 W	WM	12	NW NW		64	850 FEET SOUTH & 180 FEET EAST FROM NW CORNER, SECTION 12

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	10	NE NE		65	0.8
5 S	5 W	WM	10	SE NE		65	0.2
5 S	5 W	WM	11	NW NE		65	2.1
5 S	5 W	WM	11	NE NW		65	4.5
5 S	5 W	WM	11	NW NW		65	11.1
5 S	5 W	WM	11	SW NW		65	9.4

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.



Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall maintain and operate diversion screening or fish passage facilities to Oregon Department of Fish & Wildlife specifications.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream.


Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

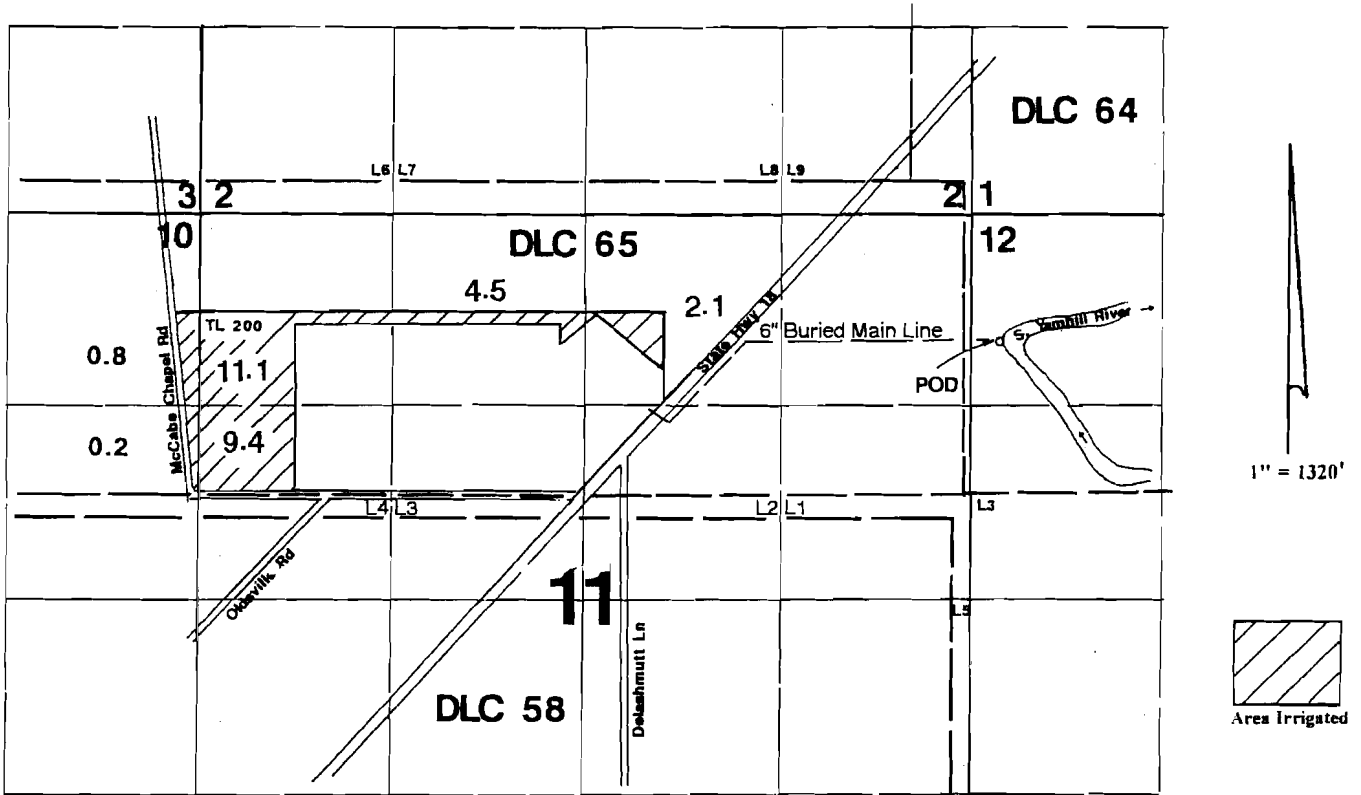
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JAN 25 2013

  
Dwight W. French  
Water Right Services Administrator, for  
Phillip C. Ward, Director  
Water Resources Department

**T.5S., R.5.W, W.M**



Pt. of Diversion is located 850'S & 180'E from the NW corner of Section 12.

## Final Proof Survey

In Name Of

# John G. Bernards

Application #: 69760 Permit #: 51712

Surveyed on November 1, 2002 by JM Schuette

EXPIRES: 6/30/2014

This Map Was Prepared For The Purpose Of Identifying The Location Of A Water Right Only And Is Not Intended To Provide Legal Dimensions Or Location Of Property Ownership Lines.

Revised 9-20-2012  
JMS



STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN G. BERNARDS  
14555 SW MCCABE CHAPEL ROAD  
MCMINNVILLE, OREGON 97128-9725

503-472-4194

to use the waters of A WELL in the SOUTH YAMHILL RIVER BASIN for SUPPLEMENTAL IRRIGATION OF 20.0 ACRES.

This permit is issued approving Application G-11870. The date of priority is NOVEMBER 17, 1988. The use is limited to not more than 0.25 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SW 1/4 NW 1/4, SECTION 11, T 5 S, R 5 W, W.M.; 1870 FEET SOUTH AND 48 FEET EAST FROM THE NW CORNER OF SECTION 11.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is April 1 through September 30.

The use of water under this permit may be exercised as primary irrigation, although described as supplemental irrigation, if no permit is issued in approval of Application 69760.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 NE 1/4 0.8 ACRE

SE 1/4 NE 1/4 0.2 ACRE

SECTION 10

NW 1/4 NW 1/4 9.6 ACRES

SW 1/4 NW 1/4 9.4 ACRES

SECTION 11

TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before April 15, 1995 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, April 15, 1994.

/s/ A. REED MARBUT

Water Resources Department  
Martha O. Pagel  
Director

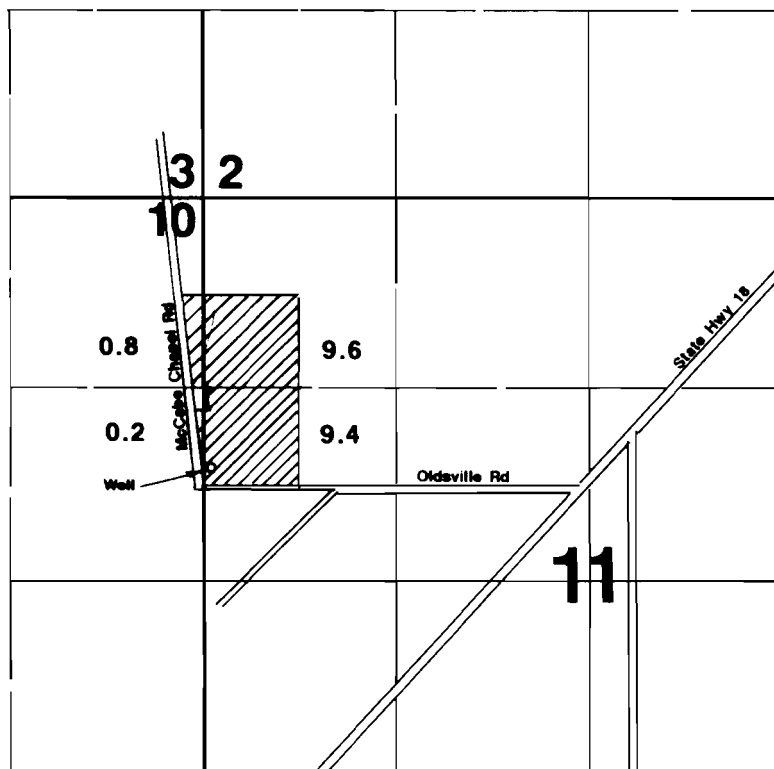


**RECEIVED**

**SEP 15 1997**

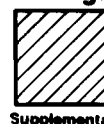
**WATER RESOURCES DEPT.  
SALEM, OREGON**

**T.5S., R.5W., W.M.**



1" = 1320'

**Area Irrigated**



**Well located 1870'S & 48'E from NW corner Section 11.**

## **Final Proof Survey**

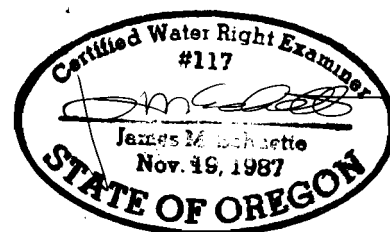
**Application #: G-11870**

**Permit #: G-11685**

**In Name Of**

**John G. Bernards**

**Surveyed on August 26, 1997 by JM Schuette**



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

\*APPLICATION FOR PERMIT

ASSIGNED By Deed

CERTIFICATE NO. 45126

To Appropriate the Public Waters of the State of Oregon

I, Ezekiel Williams (Name of applicant)  
of Rt 3 - Box 208 (Mailing address), McMinnville (City),  
State of Oregon (Zip Code) 97128, do hereby make application for a permit to appropriate the  
following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is S. Yamhill River (Name of stream)  
a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is  
cubic feet per second 350 G.P.M. (If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is Irrigation 41.1 Acres (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 850 ft. S. (N. or S.) and 180 ft. E. (E. or W.) from the NW corner of Sec. 12 T5S R5W (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NW 1/4 of NW 1/4 (Give smallest legal subdivision) of Sec. 12, Tp. 5S (N. or S.),  
R. 5W (E. or W.), W. M., in the county of Yamhill

5. The PORTABLE Pipe line (Main ditch, canal or pipe line) to be 2950' +- (Miles or feet)  
in length, terminating in the SW 1/4 of NE 1/4 (Smallest legal subdivision) of Sec. 11, Tp. 5S (N. or S.),  
R. 5W (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 20 H.P. electric motor (Size and type of pump)  
centrifugal pump - 3 inch suction - 4 inch discharge (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

## Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... miles from headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(c) Length of pipe, 14" portable ft.; size at intake, ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? ..... Estimated capacity, ..... sec. ft.

8. Location of area to be irrigated, or place of use .....

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
5 S	5 W	12	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.4
<del>NW<math>\frac{1}{4}</math></del>	<del>NE<math>\frac{1}{4}</math></del>	<del>11</del>	<del>NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></del>	<del>0.4</del>
5 S	5 W	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	14.7
5 S	5 W	11	NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.7
5 S	5 W	11	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.9
5 S	5 W	11	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.4
				31.1

(If more space required, attach separate sheet)

(a) Character of soil Woodburn silt loam and Chelaplis silty clay loam

(b) Kind of crops raised Corn grass pasture

## Power or Mining Purposes—

9. (a) Total amount of power to be developed ..... theoretical horsepower.

(b) Quantity of water to be used for power ..... sec. ft.

(c) Total fall to be utilized ..... feet.

(Head)

(d) The nature of the works by means of which the power is to be developed .....

(e) Such works to be located in ..... of Sec. ....

(Legal subdivision)

Tp. ...., R. ...., W. M. ....

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream? .....

(Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ...., Tp. ...., R. ...., W. M. ....

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is .....

(i) The nature of the mines to be served .....



10. (a) To supply the city of .....

..... County, having a present population of .....  
(Name of)

and an estimated population of ..... in 19.....

(b) If for domestic use state number of families to be supplied .....

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ \$2150.00

12. Construction work will begin on or before June 1 - 1972

13. Construction work will be completed on or before June 15 - 1972

14. The water will be completely applied to the proposed use on or before July 1 - 1972

Ezekiel Williams  
(Signature of applicant)

Remarks: .....

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

By .....

ASSISTANT

PERMIT

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.51 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from South Yamhill River

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is June 13, 1972

Actual construction work shall begin on or before August 27, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975...

Complete application of the water to the proposed use shall be made on or before October 1, 1976.

WITNESS my hand this 27th day of August, 1973.

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 49342  
Permit No. 36391

PERMIT

TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

This instrument was first received in the  
office of the State Engineer at Salem, Oregon,  
on the 6th day of June  
1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

August 27, 1973

Recorded in book No. 36391 of  
Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 2 page 20813

Fees \$21.50  
5401-154