



ESCROW WAIVER OF TERM GRAZING PERMIT PRIVILEGES

(Reference FSM 2230 and FSH 2209.13)

FS-2200-0013 (REV. 06/2023)

OMB No. 0596-0003

Exp. 6/30/2026

SELECT ONE – FIRST SECOND (Only the Farm Services Agency is eligible to hold a second escrow waiver for the land or livestock.)

NOTE: The information requested on this form is voluntary; however, all the data requested is necessary if you wish to be considered for an escrow waiver of term grazing permit privileges. The data is requested under authority of 5 USC 301, 36 CFR 222.3.

This ESCROW WAIVER gives notice that:

WHEREAS, _____, of hereinafter, the *Permittee*, received Permit Number _____ on date of _____, from the U.S. Department of Agriculture, Forest Service, authorizing the grazing of _____ head of _____ and _____ head of _____ on the _____ National Forest or _____ National Grassland ('X' appropriate box), and

WHEREAS, such permit includes a priority for renewal from one term period to the next provided that the permittee fully complies with the terms and conditions of the expiring permit: and

WHEREAS, on _____, the *Permittee* conveyed a first second mortgage to _____ of _____ hereinafter, the *Lender*, for _____ head of _____ and _____ head of _____ permitted livestock and/or the following base property more particularly described as follows:

as collateral security for a loan in the amount of \$ _____, payable on _____;

NOW, THEREFORE, the undersigned permittee surrenders to the Forest Service all privileges associated with Permit Number _____ as to _____ head of _____ and _____ head of _____ except the privilege to continue to graze the permitted livestock pending satisfaction of the mortgage(s) and a written statement from the lender that it no longer relies upon this escrow waiver. The permittee further understands that the privileges herein surrendered shall be restored upon the satisfaction of the mortgage and a written statement from the lender that it no longer relies upon the escrow waiver. The permittee also acknowledges that in the event the lender acquires title to all or part of the permittee's livestock, base property, or both identified in Part 1 of the permit by foreclosure, the permittee hereby forfeits the permit or portion thereof and all privileges connected therewith, including but not limited to the privilege of applying for nonuse. In the event the lender acquires the permittee's permitted livestock, base property, or both through foreclosure, the Authorized Officer will inform the lender that it will be a preferred applicant until the permittee's right of redemption expires according to state law. Where applicable, a Second Lender will be considered the preferred applicant for a term grazing permit only after the First Lender is satisfied.

Executed at _____, State of _____ this _____ day of _____, _____.

(Witness)

(Permittee)

(Witness)

(Permittee)

Verified this _____ day of _____, _____.

Verified this _____ day of _____, _____.

(First Lender)

(Second Lender)

Confirmed and accepted for filing this

Confirmed and accepted for filing this

_____ day of _____, _____.

_____ day of _____, _____.

SIGNATURE OF AUTHORIZED OFFICER

NATIONAL FOREST OR GRASSLAND

Release from Escrow Waiver of Term Grazing Permit Privileges

TO: Authorized Officer, _____ ☐ National Forest or ☐ National Grassland ("**X**" the appropriate box)

(Mailing Address and Zip Code)

This RELEASE FROM ESCROW WAIVER gives notice that:

WHEREAS, _____ of _____, the ☐ first ☐ second lender ("**X**" the appropriate box), on _____ verified an escrow waiver of term grazing permit privileges executed by the *Permittee*, on _____.

WHEREAS, the mortgage on which this escrow waiver was based has been satisfied and discharged and/or the lender has determined that it no longer relies on the Escrow Waiver;

NOW THEREFORE, the lender releases the Permittee from the Escrow Waiver.

Executed at _____, State of _____ this _____ day of _____, _____.

(Witness)

(First Lender)

Executed at _____, State of _____ this _____ day of _____, _____.

(Witness)

(Second Lender)

INSTRUCTIONS and REQUIREMENTS

1. The permittee will execute this Escrow Waiver in the presence of a witness. The permittee shall forward the executed and witnessed Escrow Waiver to the lender.
2. The lender will verify the permittee's executed Escrow Waiver and shall forward it to the Authorized Officer who shall confirm it and file it in the permittee's Term Grazing Permit folder. The folder shall be labeled in such a way as to conspicuously indicate that the contents include a confirmed Escrow Waiver.
3. The Authorized Officer shall send copies of the confirmed Escrow Waiver to the lender, the permittee, and appropriate Forest Service personnel. Incomplete forms shall not be confirmed or accepted for filing by the Authorized Officer and shall be returned to the permittee or lender, whichever is appropriate.
4. In order to confirm a second Escrow Waiver for the land or the livestock, the first Escrow Waiver of Term Grazing Permit Privileges form must be released by the First Lender and the replacement Escrow Waiver must be verified by both the First and Second Lenders. Only the Farm Services Agency (FSA) can be confirmed as the Second Lender for the land or the livestock.
5. When the mortgage has been satisfied or the lender no longer desires to rely on the Escrow Waiver, the lender will execute the release portion of the Escrow Waiver and send it to the Authorized Officer, who will then notify appropriate Forest Service personnel that the lender has released the Escrow Waiver and the permittee's term grazing permit privileges have been restored.
6. The Release from Escrow Waiver shall be filed in the permittee's Term Grazing Permit folder and the label removed from the folder that previously indicated a confirmed Escrow Waiver was filed within.

Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The OMB control number for this information collection is 0596-0003. Response to this collection of information is mandatory. The authority to collect the information Section 7 of the Granger-Thye Act (16 USC 580d) and Title IV of the Federal Land Policy and Management Act of 1976 (43 USC 1751-1753). The time required to complete this information collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Department of Agriculture, Clearance Officer, OIRM, 1400 Independence Avenue, SW, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB# 0596-0003), 725 17th Street NW, Washington, DC 20503.

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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The Privacy Act of 1974, 5 U.S.C. 552a and the Freedom of Information Act, 5 U.S.C. 552 govern the confidentiality to be provided for information received by the Forest Service.

Instructions for Completion of Form FS-2200-013, Escrow Waiver of Term Grazing Permit Privileges*(Reference FSM 2230 and FSH 2209.13)*

- 1) First or Second – Check the appropriate box for first or second escrow waiver.
- 2) Permittee – Enter Name of entity who is applying for an escrow waiver.
- 3) Address – Enter address of entity who is applying for an escrow waiver.
- 4) Permit Number – Enter the identifying number of the active permit held by the permittee.
- 5) Date – Enter the date the permit was signed.
- 6) Livestock Number (multiple fields) – Enter the number of permitted animals.
- 7) Livestock Kind (multiple fields) – Enter the appropriate livestock kind.
- 8) National Forest or Grassland Name – Enter the name of National Forest or Grassland where the active grazing permit is administered.
- 9) National Forest or Grassland – check the appropriate box.

- 10) Date – Enter the date the mortgage was conveyed.
- 11) First or Second – check the appropriate box.
- 12) Name – Enter the name of the lender that holds the mortgage.
- 13) City and State – Enter the city and state where the lender is located
- 14) Livestock Number (multiple fields) – Enter the number of permitted animals.
- 15) Livestock Kind (multiple fields) – Enter the appropriate livestock kind.
- 16) Description – Enter the legal description of the base property submitted for this permit.
- 17) Value – Enter the dollar amount of the loan.
- 18) Date – enter the date the loan is payable on.

- 19) Permit Number – Enter the identifying number of the active permit held by the permittee.
- 20) Livestock Number (multiple fields) – Enter the number of permitted animals.
- 21) Livestock Kind (multiple fields) – Enter the appropriate livestock kind.

- 22) Location – Enter the City where the waiver is being executed.
- 23) State – Enter the State where the waiver is being executed.
- 24) Day – Enter the day of the month the waiver is being executed.
- 25) Month – Enter the month the waiver is being executed.
- 26) Year – Enter the year the waiver is being executed.
- 27) Signature of Witness(s) – Enter the signature of the person witnessing the permittee's signing.
- 28) Signature of Permittee(s) – Enter the signature of the person authorized to waive the permit.
- 29) Signature of Witness(s) – Enter the signature of the person witnessing the purchaser's signing.
- 30) Signature of Purchaser(s) – Enter the signature of the person authorized to sign as the purchaser.

- 31) Day – Enter the day of the month the waiver is being executed.
- 32) Month – Enter the month the waiver is being executed.
- 33) Year – Enter the year the waiver is being executed.

- 34) First Lender – Enter the name of the first lender.
- 35) Day – Enter the day of the month the waiver is being confirmed.
- 36) Month – Enter the month the waiver is being confirmed.
- 37) Year – Enter the year the waiver is being confirmed.
- 38) Second Lender – Enter the name of the second lender.
- 39) Day – Enter the day of the month the waiver is being confirmed.
- 40) Month – Enter the month the waiver is being confirmed.
- 41) Year – Enter the year the waiver is being confirmed.
- 42) Signature of Authorized Officer – Enter the official signature of the approving officer.
- 43) National Forest or Grassland – Enter the name of National Forest or National Grassland of which the permit being waived is administered.

Release from Escrow Waiver of Term Grazing Permit Privileges

- 1) National Forest or Grassland Name – Enter the name of National Forest or National Grassland where the permit is administered.
- 2) National Forest or Grassland – Check the appropriate box.
- 3) Mailing Address – Enter the mailing address of the unit administering the permit.
- 4) Name – Enter the name of the lender that held the mortgage.
- 5) City and State – Enter the city and state where the lender is located.
- 6) First or Second – check the appropriate box.
- 7) Loan on – enter the information about what the loan was on.
- 8) Date – Enter the date that the Escrow Waiver was executed on.
- 9) Location – Enter the City where the release is being executed.
- 10) State – Enter the State where the release is being executed.
- 11) Day – Enter the day of the month the release is being executed.
- 12) Month – Enter the month the release is being executed.
- 13) Year – Enter the year the release is being executed.
- 14) Signature of Witness(s) – Enter the signature of the person witnessing the lender's signing.
- 15) Signature of lender(s) – Enter the signature of the person authorized to release the waiver from the lender.