

WAIVER OF TERM GRAZING PERMIT

(Reference FSM 2230 and FSH 2209.13)

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

This MEMORANDUM witnesseth that:

WHEREAS, _____ of _____, hereinafter the seller, received Term Grazing Permit Number _____ from the U.S. Department of Agriculture, Forest Service on _____, _____ authorizing the seller to graze _____ head of _____ and _____ head of _____ for the period of use from _____ to _____ on the _____ (‘X’ appropriate box) National Forest National Grassland; and

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

WHEREAS, the seller may waive Term Grazing Permit Number _____ to the Forest Service in favor of a third party which has purchased the base property and/or permitted livestock of the seller; and

WHEREAS, the Forest Service will issue a new term grazing permit to the purchaser of the seller’s base property and/or permitted livestock provided that the purchaser is eligible and qualified to hold a term grazing permit; and

WHEREAS, the seller has under date of _____, 20__ sold to _____ of _____, hereinafter, the purchaser, _____ head of _____ which are permitted livestock and/or the following base property more particularly described below:

NOW, THEREFORE, the seller here and now surrenders unto the United States all privileges heretofore allowed under Term Grazing Permit Number _____, or that portion of the permit consisting of _____ head of _____ and _____ head of _____, and further agrees not to apply at any future time for a renewal of the term grazing permit herein surrendered. The seller further agrees to relinquish unto the United States any and all interest in range improvements constructed or installed by the seller on the lands described in Part 1 of the surrendered term grazing permit or portion thereof or on any other allotment on which the seller may have grazed.

Executed at _____, State of _____ this _____ day of _____, 20____. Subject to conditions and requirements printed on the back hereof.

Witness: _____ *Permittee*

Witness: _____ *Permittee*

(I/We) have read and agree to the conditions and requirements printed on the back hereof.

Witness: _____ *Purchaser*

Witness: _____ *Purchaser*

Received and filed subject to the conditions and requirements printed on the back hereof, this _____ day of _____, 20__.

SIGNATURE OF AUTHORIZED OFFICER _____ NATIONAL FOREST OR GRASSLAND

**CONDITIONS AND REQUIREMENTS FOR THE ISSUANCE OF A TERM GRAZING PERMIT
BECAUSE OF PURCHASE OF PERMITTED LIVESTOCK OR BASE PROPERTY**

1. The current permittee must complete and execute Form 2200-12, Waiver of Term Grazing Permit. When applicable, the form must also be signed by the purchaser of the permittee's base property and/or permitted livestock and the authorized officer. Two (2) witnesses must attest both the permittee's and the purchaser's signatures.
2. The permittee shall present to the Authorized Officer a properly executed and recorded or notarized bill of sale with cancelled check or receipt to document sale of permitted livestock, and/or a properly executed and recorded deed or contract to purchase base property, and additional documents related to the transaction as requested by the Authorized Officer.
3. The purchaser must provide to the Authorized Officer information to identify property upon which the application for a term grazing permit is based, and the relationship between such ranch property and the livestock to be grazed.
4. Failure to comply with the following requirements may result in disapproval of the term grazing permit application, or cancellation of the term grazing permit:
 - (a) Within 30 days from the date the Authorized Officer receives Form 2200-12, Waiver of Term Grazing Permit for filing, the purchased livestock must be moved from the seller's lands to the purchaser's lands.
 - (b) Purchased livestock identified on the purchaser's term grazing permit application must have been permitted to graze under the seller's term grazing permit at the time of purchase, Provided, that if the purchase did not occur during the permitted period of use, the purchased livestock may include those livestock which grazed under the term grazing permit during the most recent permitted period of use and any offspring which may have been retained for herd replacement. Yearlings that have grazed as part of the normal livestock operation may be considered permitted livestock.
 - (c) A purchaser who does not desire to graze purchased livestock on National Forest System lands or other lands under Forest Service control during the permitted period of use following purchase must request permission from the Authorized Officer in writing and explain the reasons for the request, which might include culling or change in class of livestock.
 - (d) Purchased base property identified in the purchaser's term grazing permit application must be used as base property by the purchaser during the year immediately following the purchase.
 - (e) Except in cases of foreclosure as described in FSM 2231.8 and FSH 2209.13, livestock or base property identified in a purchaser's term grazing permit application may not revert to the seller or the seller's heirs, agents, assigns, or anyone acting in concert with the seller, within two years of the sale.
 - (f) The terms and conditions of all documents submitted with the application which forms the basis for the issuance of the Term Grazing Permit.

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. The valid OMB control number for this information collection is 0596-0003. The time required to complete this information collection is estimated to average 30 minutes, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.