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JUN 06 2013

DEPARTMENT OF
WATER RESOURCES

FRITZ X. HAEMMERLE
HAEMMERLE & HAEMMERLE
P.O. Box 1800
400 South Main Street, Suite 102
Hailey, Idaho 83333
Tel: (208) 578-0520
Fax: (208) 578-0564
ISB #3862

Attorneys for Claimant, Bill and Betty Grant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE SRBA,	)	Subcase No. 37-00102B and 37-07064E
	)	
Case No. 38576	)	AFFIDAVIT OF FRITZ X. HAEMMERLE
	)	IN SUPPORT OF MOTION TO
	)	WITHDRAW
	)	
	)	

STATE OF IDAHO,	)
	) ss.
County of Blaine.	)

Fritz X. Haemmerle, being sworn upon oath, deposes and states as follows:

1. I am an attorney duly licensed to practice law in the State of Idaho, and I am over the age of eighteen (18) years old. I make the averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. I am the attorney for the Bill and Betty Grant Living Trust ("Grant Trust"), and I have represented the Grant Trust since the Objections to water right 37-00102B was filed. On or about May 24, 2013, on my own initiative, I learned that the Grant Trust no longer owns the property where water rights 37-00102B and 37-07064E are appurtenant. On or about April 4, 2013,

Northwest Trust Services, Inc., acting as Trustee for the Federal Home Loan Mortgage Corporation ("FHLMC"), issued a Trust Deed to the FHLMC. A true and correct copy of the Trust Deed is attached hereto as Exhibit 1. I have not been in contact with the FHLMC about this case, and no one for that entity has contacted me about this case. Furthermore, I have not had any contact with members of the Grant Trust since the property was transferred to the FHLMC.

3. At the time of this withdrawal, I was working with the Idaho Department of Water Resources on perfecting a new Permit, which would have been mitigated by the surface water right which has been objected to. That water right is 37-00102B. If the new owner wishes to pursue this remedy, it still might be available.

4. By this Affidavit, the FHLMC is hereby given notice of this pending case in the Snake River Basin Adjudication, and is further advised of its responsibilities to file a Name Change for these water rights.

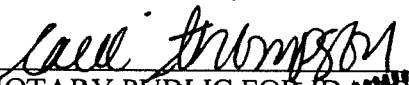
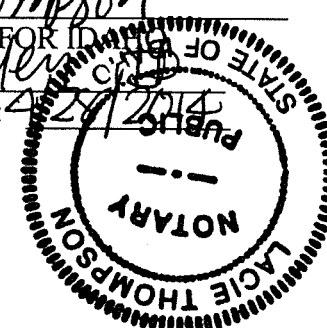
5. No argument is requested on the Motion.

FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 4th day of June 2013.


FRITZ X. HAEMMERLE

SUBSCRIBED AND SWORN to before me this 4th day of June 2013.


NOTARY PUBLIC FOR IDAHO
Residing at: Hailey, ID
Commission expires: 4/28/2014


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of June 2013, I caused to be served a true copy of the foregoing document by the method indicated below, and addressed to each of the following:

Albert P. Barker
P.O. Box 2139
Boise, Idaho 83701-2139

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Craig D. Hobdey
Hobdey Law Office PLLC
P.O. Box 176
Gooding, Idaho 83330-0176

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Bill and Betty Grant Living Trust
P.O. Box 370
Hailey, Idaho 83333

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Federal Home Loan Mortgage Corporation
500 Plano Parkway
Carrollton, Texas 75010-4902

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

☒ U.S. Mail, Postage Prepaid

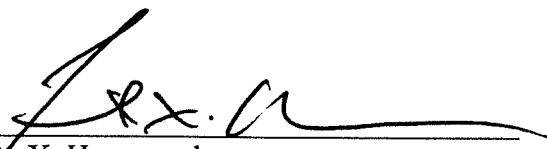

Fritz X. Haemmerle

EXHIBIT 1

Instrument # 608057

HAILEY, BLAINE, IDAHO
 04-08-2013 8:09:51 AM No. of Pages: 2
 Recorded for: NEXTITLE
 JOLYNN DRAGE Fee: \$13.00
 Ex-Officio Recorder Deputy: JB
 Electronically Recorded by Simplifile

After Recording, Return to:
 Federal Home Loan Mortgage Corporation
 5000 Plano Parkway
 Carrollton, TX 75010-4902

TRUSTEE'S DEED

7023.102622

Northwest Trustee Services, Inc.
 P.O. Box 997
 Bellevue, WA 98009-0997

Grantor's Name and Address

Federal Home Loan Mortgage Corporation
5000 Plano Parkway
Carrollton, TX 75010-4902

Grantee's Name and Address

Until a change is required all tax statements shall be sent to the following address:

Federal Home Loan Mortgage Corporation
5000 Plano Parkway
Carrollton, TX 75010-4902

Northwest Trustee Services, Inc. ("Trustee"), as successor trustee under the Trust Deed (identified below), Bargains, Sells and Conveys, without representation or warranty, to Federal Home Loan Mortgage Corporation ("Grantee") all of the real property situated in Blaine County, Idaho, ("Property") described as follows:

A parcel of land located in the E 1/2 NW 1/4 of Section 25, Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho and more particularly described as follows: Commencing at the North One Quarter (N 1/4) corner of said Section 25, from which the Northwest corner of Section 25 bears S89 degrees 29'57"W 2,691.37 feet; thence S00 degrees 18'58"E along the East Boundary of the NW 1/4 of Section 25 for a distance of 559.67 feet to a point on the Southeasterly Right-of-Way Boundary of State Highway No. 75 and being the True Point of Beginning; thence continuing S 00 degrees 18'58"E along the East Boundary of the NW 1/4 of Section 25 for a distance of 1,851.30 feet to a point that is located, N 00 degrees 18' 58"W 220.00 feet from the Southeast corner of the NW 1/4 of Section 25; thence S 89 degrees 27' 33"W parallel with and 220.00 feet Northerly of the South Boundary of the NW 1/4 of Section 25 for a distance of 1,135.82 feet to a point on the Easterly Right-of-Way Boundary of State Highway 75; thence N 14 degrees 43'29"E along the Easterly Right-of-Way Boundary of State Highway 75 for a distance of 471.98 feet to the point of a curve right; thence Northeasterly along the Southeasterly Right-of-Way Boundary of State Highway 75 on the arc of the curve right for a distance of 923.53 feet to a point of tangent, said arc having a radius of 1,869.86 feet, a delta angle of 28 degrees 17'55", a tangent distance of 471.39 feet and a long chord bearing a distance of N 28 degrees 51'07"E 914.17 feet; thence N 43 degrees 01'24"E along the Southeasterly Right-of-Way Boundary of State Highway 75 for a distance of 827.27 feet to the True Point of Beginning (Also known as Tax Lot #7410)

This conveyance is made pursuant to the powers conferred upon the Trustee by the trust deed between Betty L. Grant, a married person as her sole and separate property, as grantor, for the benefit and security of Mortgage Electronic Registration Systems, Inc. solely as nominee for M&T Mortgage Corporation, as beneficiary, recorded on October 31, 2006, as Instrument No. 541311, Mortgage Records of Blaine County, Idaho ("Trust Deed") and after the fulfillment of the following conditions specified in the Trust Deed:

(a) The obligations secured by the Trust Deed were in default and the beneficiary of record or its agent made demand upon Trustee to sell the Property pursuant to the terms of the Trust Deed. Notice of default was recorded as Instrument No. 602031, Mortgage Records of Blaine County, Idaho ("Notice of Default") and in the office of the Recorder of every other county in which any part of the Property is situated. The nature of default was stated in the Notice of Default. The default still existed at the time of the trustee's sale.

(b) After the Notice of Default was recorded, the Trustee provided a notice of the trustee's sale ("Notice of Sale") giving notice of the time and place of the trustee's sale by i) mailing (registered/certified mail, return receipt requested); ii) personal service and/or posting (upon an adult occupant of the Property and/or by posting in a conspicuous place on the Property, in the manner provided by statute) and iii) by publishing in a newspaper of general circulation in each of the counties in which the Property is situated. Affidavits of mailing, service/posting and publication ("Affidavits") were recorded in each county where the Property is situated at least 20 days prior to the trustee's sale as Instrument No. 605839, Mortgage Records of Blaine County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default and Affidavits are incorporated by this reference and made a part of this Trustee's Deed.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of the Notice of Default, Notice of Sale and all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of Notice of Sale by registered or certified mail and the date the Trustee's Sale was conducted.

(f) Trustee, on April 2, 2013, at the time and place of sale fixed by the Notice of Sale or by publicly proclaimed postponement, sold the Property in one parcel at public auction to the beneficiary, the highest bidder, for the credit bid sum of \$260,000.00. The beneficiary then designated Grantee to be the grantee under this Trustee's Deed, directing the Trustee to issue the Trustee's Deed to Grantee as grantee. The trustee's sale to Grantee was made subject to all prior liens and encumbrances. No person or corporation offered to take any part of the Property constituting less than the Property's whole for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, Trustee, pursuant to a resolution of its Board of Directors (if required by its Bylaws), has caused its corporate name to be hereunto subscribed by its Assistant Vice President, this 04 day of April, 2013.

Northwest Trustee Services, Inc., Trustee

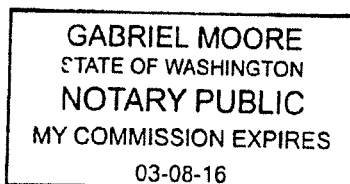
BY:

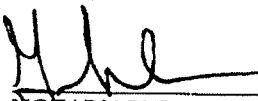

ALAN BURTON, Assistant Vice President

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this 04 day of April, 2013, before me, a Notary Public in and for said State, personally appeared ALAN BURTON, known to me to be the Assistant Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.





NOTARY PUBLIC in and for the State of
Washington, residing at King Co.
My commission expires 03/08/2016