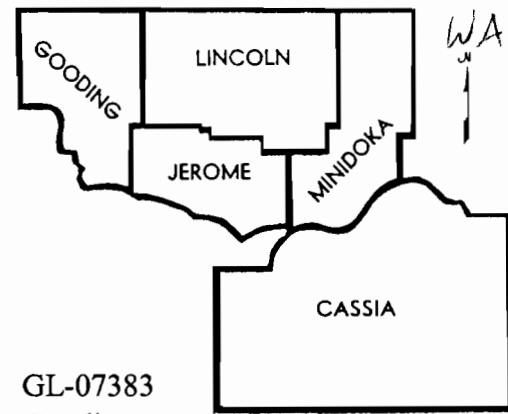


# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



December 19, 2006

REFER TO:  
OFFICE:

GL-07383  
Gooding

IDWR  
P.O. Box 83720  
Boise, ID 83720  
ATTN: Cherie Padilla

RECEIVED

DEC 21 2006

DEPARTMENT OF  
WATER RESOURCES

RE: Swan/Gorrell

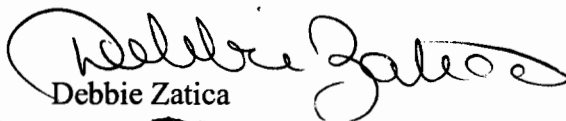
Dear Cherie :

Enclosed, please find copy of recorded Special Warranty Deed on the above transaction. Please transfer water on the property.

We appreciate the opportunity to serve you. If you have any questions regarding the above or any other matter, please do not hesitate to contact our office.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

  
Debbie Zatica

Escrow Assistant

(208)934-8477

P.O. Box 473, 706 Main Street

Gooding, Idaho 83330

Recording Requested By and  
When Recorded Return to:

JOHN W. SWAN  
MARLENE M. SWAN  
180 W. 75 N.  
Jerome, ID 83338

|                                                                                                                          |                     |
|--------------------------------------------------------------------------------------------------------------------------|---------------------|
| STATE OF IDAHO<br>COUNTY OF LINCOLN<br>Recorded at the request of                                                        | LAND TITLE & ESCROW |
| DEC 18 2006                                                                                                              |                     |
| at 00 minutes past 12 M.<br>recorded by <i>Michael Bryant</i><br>Fee: <i>182254</i> Return to: <i>same as above hand</i> |                     |

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of the 4<sup>th</sup> day of December, 2006, is between **PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #134, LLC**, an Idaho limited liability company ("Grantor"), and **JOHN W. SWAN AND MARLENE M. SWAN, HUSBAND AND WIFE** ("Grantee"), whose legal address is: 180 W. 75 N., Jerome, ID 83338.

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County of Lincoln, State of Idaho, more particularly described as follows:

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO  
Section 28: SW1/4SW1/4 Section 29: S1/2SE1/4

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "Property").

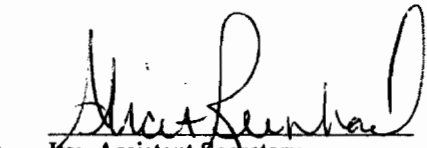
TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of July 18, 2006.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

**PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #134, LLC,**  
an Idaho limited liability company

By: Pioneer 1031 Company, Member

By:   
Its: Assistant Secretary

STATE OF IDAHO

)

) ss.

COUNTY OF ADA

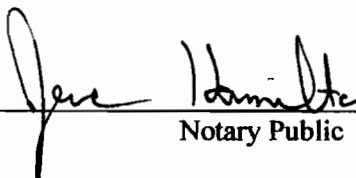
)

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of December, 2006, by Alicia Reinhard, as Assistant Secretary of Pioneer 1031 Company, an Idaho corporation, Member of Pioneer Exchange Accommodation Titleholder #134, LLC, an Idaho limited liability company.

WITNESS my hand and official seal.

My commission expires: 9/9/09  
Residing at: Boise, ID

(NOTARIAL SEAL)

  
Notary Public