

AGREEMENT
(District Ten Mile Subdivision - Purdam Drain)

AGREEMENT, made and entered into this ____ day of _____, 2026, by and between NAMPA & MERIDIAN IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, hereinafter referred to as the "*District*," and

THE CITY OF MERIDIAN, a political subdivision and
municipality of the State of Idaho

hereinafter referred to as the "*City*,"

W I T N E S S E T H:

WHEREAS, the parties hereto entered into a Master Pathway Agreement For Developing and Maintaining Pathways for public use along and across some of the District's ditches and within some of the District's easements and fee title lands dated December 19, 2000, recorded as Instrument No. 100102999, records of Ada County, Idaho, and subsequently entered into an Addendum to Master Pathway Agreement dated July 6, 2023, recorded as Instrument No. 2023-039167, records of Ada County, Idaho, hereinafter collectively referred to as the "*Master Pathway Agreement*"; and,,

WHEREAS, the District and the City intended by entering the Master Pathway Agreement to accomplish the following in a manner that is consistent with their respective legal and fiduciary responsibilities; to enhance the City's pathway planning though early consultation between the City and the District; to establish a process for the City's submission of pathway requests and the District's consideration of such requests; and to provide the general conditions for the District's approval and authorization of pathway requests affecting the District's ditches, property, operations and maintenance; and,

WHEREAS, the District grants to the City the right develop pathways to encroach within the District's easements and/or fee title property along and across the District's ditches, canals and easements/fee title property therefor upon the terms and conditions of said Master Pathway Agreement and after the execution of an agreement for each proposed crossing and encroachment; and,

WHEREAS, the City is the owner of the real property easement / right of way that is servient to the District's easement/fee title property particularly described in the "*Legal Description*" attached hereto as Exhibit A and by this reference made a part hereof; and,

WHEREAS, the District controls the irrigation/drainage ditch or canal known as the PURDAM DRAIN (hereinafter referred to as "*ditch or canal*") together with the real property and/or easements to convey irrigation and drainage water, to operate and maintain the ditch or canal, and which crosses and intersects said described real property of the City as shown on Exhibit B attached hereto and by this reference made a part hereof; and

WHEREAS, the City desires approval to construct, install, operate and maintain: 1) a 10' wide multi-use pathway/sidewalk within the District's easement for the Purdam Drain, under the terms and conditions of said Master Pathway Agreement and those hereinafter set forth,

NOW, THEREFORE, for and in consideration of the premises and of the covenants, agreements and conditions hereinafter set forth and those set forth in said Master Pathway Agreement, the parties hereto agree as follows:

1. The City may construct, operate, maintain and repair: 1) a 10' wide multi-use pathway/sidewalk within the District's easement for the Purdam Drain, within the District Ten Mile Subdivision, located in Meridian, Ada County, Idaho.

2. Any construction, widening or crossing of said ditch or canal shall be performed in accordance with the "**Special Conditions**" stated in Exhibit C, attached hereto and by this reference made part thereof.

3. The permitted hours of use of the pathway shall be from one half hour before sunrise and one half hour after sunset.

4. The parties hereto incorporate in and make part of this Agreement all the covenants, conditions, and agreements of said Master Pathway Agreement unchanged except as the result of the provisions of this Agreement.

The covenants, conditions and agreements herein contained and incorporated by reference shall constitute covenants to run with, and running with, all of the lands of the City described in said Exhibit A, and shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the District has hereunto caused its name to be subscribed and the Licensee has caused its name to be subscribed by its duly authorized officer, all as of the day and year herein first above written.

NAMPA & MERIDIAN IRRIGATION DISTRICT

By _____
David Duvall, Water Superintendent

STATE OF IDAHO)
) ss:
)
County of Canyon)

On this _____ day of _____, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID DUVALL, known to me to be the Water Superintendent of

NAMPA & MERIDIAN IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument and acknowledged to me that such irrigation district 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 for Idaho
Residing at _____, Idaho
My Commission Expires: _____

THE CITY OF MERIDIAN

By _____

ATTEST:

STATE OF IDAHO)
)
) ss:
County of Ada)

On this _____ day of _____, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____, known to me to be the _____ and _____, respectively, of The CITY OF MERIDIAN, the entity that executed the foregoing instrument and acknowledged to me that such entity 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 for _____
Residing at _____, _____
My Commission Expires: _____

EXHIBIT A
Legal Description

A right-of-way/easement located within the District Ten Mile Subdivision in the NE1/4 of Section 15, Township 3 North, Range 1 West, B.M., Meridian, Ada County, Idaho as more specifically described/depicted in **Exhibit A-1** attached hereto and by this reference incorporated herein.

EXHIBIT B
Location of Property/Canal

See Exhibit C-1 attached hereto.

EXHIBIT C
Special Conditions

- a. The location and construction of the pathway shall be in accordance with Exhibit C-1, attached hereto and by this reference made a part hereof.
- b. Licensee acknowledges that the District's easement for the Purdam Drain includes a sufficient area of land to convey irrigation and drainage water, to operate, clean, maintain and repair the ditch or canal, and to access the ditch or canal for said purposes, and is a minimum of 85 feet, 50 feet to the left and 35 feet to the right of the centerline looking downstream.
- c. Construction shall be completed one year from the date of this agreement. Time is of the essence.



DIAMOND
LAND SURVEYING

MONDAY, DECEMBER 29, 2025
PROJECT NUMBER: 25-238

EXHIBIT A
LEGAL DESCRIPTION

MULTI USE PATH EASEMENT
PARCEL S1215121405

A MULTI USE PATH EASEMENT BEING PART OF PARCEL S1215121405, LOCATED IN SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, MERIDIAN CITY, ADA COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15 AS RECORDED BY INSTRUMENT NUMBER 111022595 ON THE RECORDS OF ADA COUNTY, AND RUNNING THENCE NORTH 0°33'33" EAST 223.52 FEET ALONG THE EAST SECTION LINE OF SAID SECTION 15, THENCE NORTH 89°26'27" WEST 1018.71 FEET, TO THE POINT OF BEGINNING;

THENCE SOUTH 60°04'11" WEST 14.00 FEET;

THENCE NORTH 28°26'24" WEST 50.55 FEET;

THENCE NORTH 25°27'34" WEST 16.74 FEET;

THENCE NORTH 22°28'43" WEST 81.14 FEET;

THENCE NORTH 27°18'43" WEST 61.59 FEET;

THENCE NORTH 60°57'09" WEST 112.22 FEET;

THENCE NORTH 65°06'29" WEST 61.60 FEET;

THENCE NORTH 60°57'25" WEST 20.68 FEET;

THENCE NORTH 71°18'30" WEST 16.70 FEET;

THENCE NORTH 60°57'25" WEST 236.46 FEET;

THENCE NORTH 52°05'14" WEST 19.46 FEET;

THENCE NORTH 60°57'25" WEST 78.70 FEET;

THENCE NORTH 69°10'35" WEST 36.43 FEET, TO A POINT COINCIDENT WITH THE EASTERLY PROPERTY LINE OF PARCEL S1215131406, ALSO BEING A POINT OF NON-TANGENT CURVATURE.;

THENCE 5.12 FEET ALONG THE ARC OF A 120.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 2°26'43", WITH A LONG CHORD OF NORTH 33°19'03" EAST 5.12 FEET, ALONG SAID EASTERLY PROPERTY LINE;

PREPARED BY: NATHAN B. WEBER, PLS

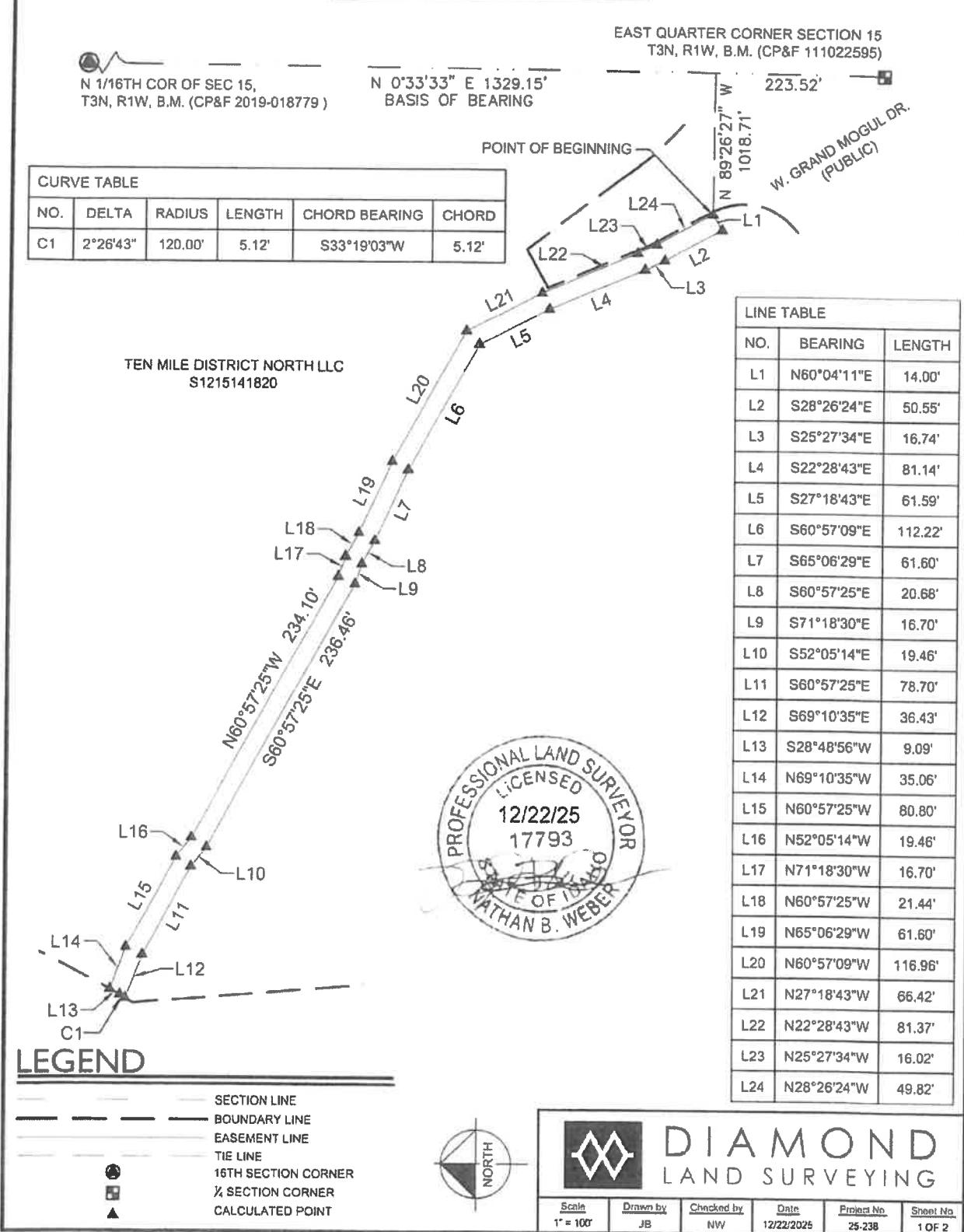
THENCE NORTH 28°48'56" EAST 9.09 FEET, ALONG SAID EASTERLY PROPERTY LINE;
THENCE SOUTH 69°10'35" EAST 35.06 FEET;
THENCE SOUTH 60°57'25" EAST 80.80 FEET;
THENCE SOUTH 52°05'14" EAST 19.46 FEET;
THENCE SOUTH 60°57'25" EAST 234.10 FEET;
THENCE SOUTH 71°18'30" EAST 16.70 FEET;
THENCE SOUTH 60°57'25" EAST 21.44 FEET;
THENCE SOUTH 65°06'29" EAST 61.60 FEET;
THENCE SOUTH 60°57'09" EAST 116.96 FEET;
THENCE SOUTH 27°18'43" EAST 66.42 FEET;
THENCE SOUTH 22°28'43" EAST 81.37 FEET;
THENCE SOUTH 25°27'34" EAST 16.02 FEET;
THENCE SOUTH 28°26'24" EAST 49.82 FEET, TO THE POINT OF BEGINNING.

CONTAINS 11,142 SQ. FT. OR 0.256 ACRES

PREPARED BY: NATHAN B. WEBER, PLS

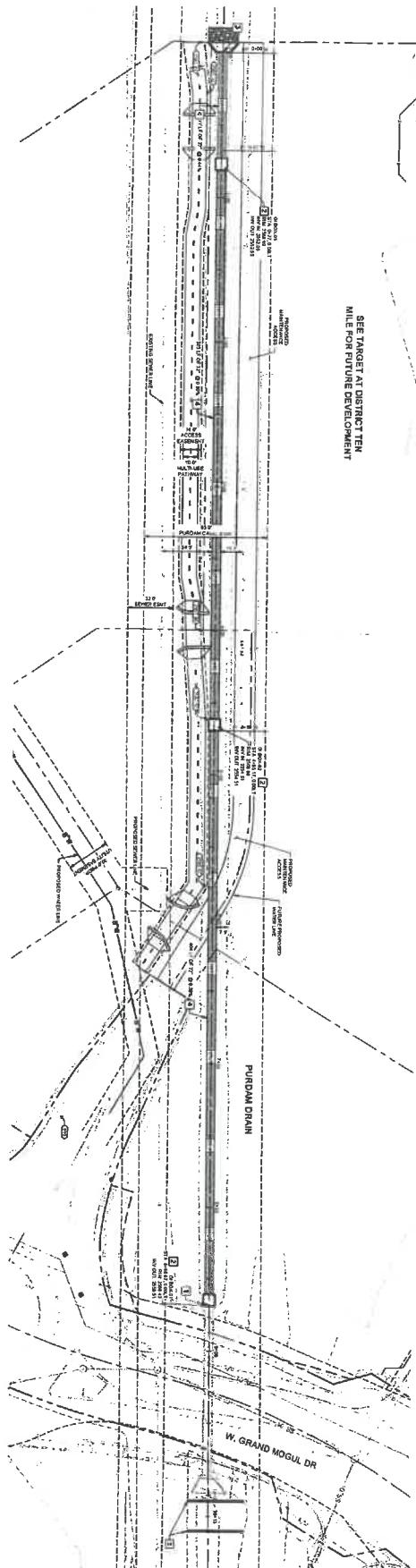
EXHIBIT B

MULTI USE PATH EASEMENT

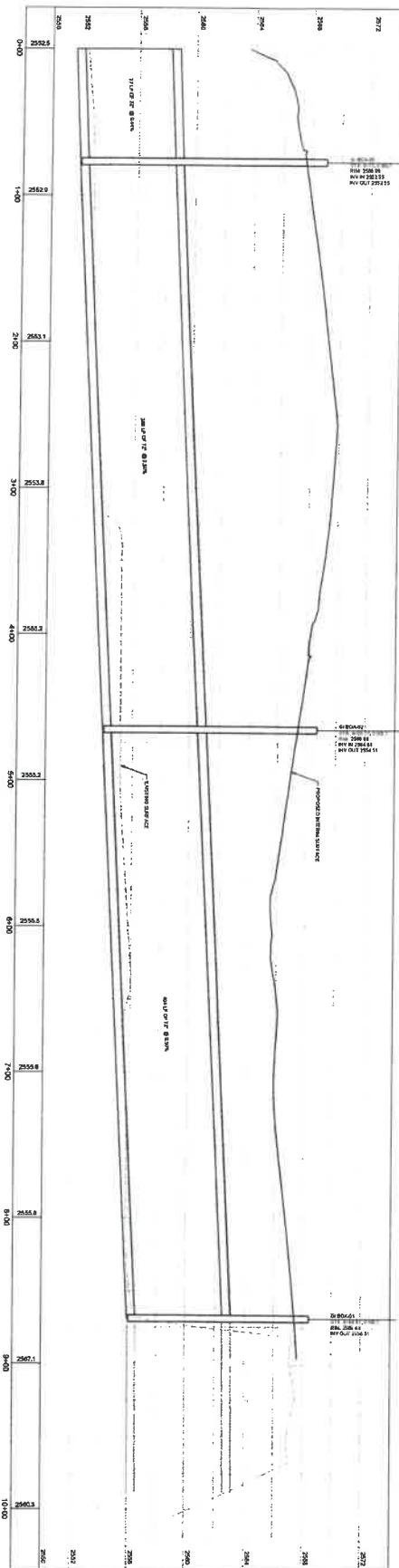


PURDAM DRAIN IRRIGATION LINE PLAN

SEE TARGET AT DISTRICT TEN
MILE FOR FUTURE DEVELOPMENT



PURDAM DRAIN IRRIGATION LINE PROFILE



DISTRICT TEN MILE SUBDIVISION

Project Number: NIA
010222023

10/22/2023



AHLQUIST
114 S. FREDERICK DR. SUITE 100
BOULDER, CO 80302-1200
303.447.1200

C6.00

GRAVITY IRRIGATION PLAN AND PROFILE

GRAVITY IRRIGATION NOTES

- 1 CONCRETE OR DURASERAMIC PIPE, 100% PVC, AND 100% PVC/ASR AD
- 2 CONCRETE OR DURASERAMIC PIPE, 100% PVC, AND 100% PVC/ASR CONCER
- 3 SEE SHEET 24 FOR ALL DRAINAGE, DRAIN, AND DRAINAGE DRAINS
- 4 INSTALL HEADWALL SEE SHEET 24 FOR DETAIL.
- 5 IRIGATION HEADWALLS SEE SHEET 24 FOR DETAIL. IRIGATION HEADWALLS ARE TO BE PLACED ON THE DRAINAGE DRAINS. IRIGATION HEADWALLS ARE TO BE PLACED ON THE DRAINAGE DRAINS. IRIGATION HEADWALLS ARE TO BE PLACED ON THE DRAINAGE DRAINS.
- 6 CONSTRUCTION OF IRIGATION DRAINS PER C6.00 AND DRAIN DRAINS TO BE PLACED ON THE DRAINAGE DRAINS. CONSTRUCTION OF IRIGATION DRAINS PER C6.00 AND DRAIN DRAINS TO BE PLACED ON THE DRAINAGE DRAINS.

APPROVED FOR CONSTRUCTION



400' SCALE IN FEET



LEGEND

PROPERTY LINE
ROAD/DRIVE LINE
ADJACENT PROPERTY LINE
DRAINAGE DRAINS
IRRIGATION DRAINS
IRRIGATION HEADWALL
IRRIGATION HEADWALL CONCRETE
IRRIGATION HEADWALL CONCRETE
IRRIGATION HEADWALL CONCRETE