

- j. "Operating Plan" means the plan of operation which is attached to this Agreement as Annex A and which is an integral part of this Agreement, for certain dams, reservoirs, and related works on the Souris River;
- k. "Rafferty Dam" means the dam which is under construction at a location on the Souris River approximately six kilometers upstream in a northwesterly direction from the City of Estevan in the Province of Saskatchewan;
- l. "Reservoir Regulation Manual" means a document which is used as a guide in the day-to-day operation of a reservoir by the agency responsible for the operation of the reservoir. The manual shall contain a description of the project and its history, and discuss watershed characteristics, data collection and communication networks, hydrologic forecasts, the water control plan, and water control management;
- m. "substantially destroyed" means when the cost of repairs or rehabilitation to an improvement to rectify damages to that improvement would exceed 50 percent of the replacement value of the improvement at the time the damage is sustained;
- n. "uncontrollable force" means any force or cause beyond the control of the party affected, including, but not limited to, war, riot, civil disturbance, sabotage, earthquake, catastrophic storm event, and restraint by court order, which by exercise of due care and foresight, such party could not reasonably have been expected to avoid;
- o. "useful life" means the time remaining until an improvement is permanently retired from service because it no longer effectively serves its intended purpose, as defined in this Agreement and the Operating Plan, notwithstanding good maintenance, or because it is substantially destroyed by uncontrollable force;
- p. "water quality monitoring" means the collection, analysis and interpretation of water quality conditions, whether obtained through systematic surveys or special studies;
- q. "water quality objective" means a concentration level, other measure, or narrative goal which is intended to support the designated uses of water at a specific site; and
- r. "water supply in Canada" means the use of reservoir storage in Canada for the purposes of: cooling water for electric generating plants, irrigation, domestic use, municipal and industrial use, agricultural use, recreation, conservation, flood protection in Canada, or such other uses as the Government of Canada shall designate.