

Subject to Legal Review for Accuracy, Clarity, and Consistency

Subject to Language Authentication

Side Letter on Natural Water Resources

Dear:

In connection with the signing on [date] of this Agreement I have the honor to confirm the following understanding reached between the governments of Canada and the United States, taking note of the 1993 Canada-United States-Mexico Declaration on Water Resources and the NAFTA:

- The Agreement creates no rights to the natural water resources of a Party to the Agreement.

Unless water, in any form, has entered into commerce and become a good or product, it is not covered by the provisions of this Agreement. Nothing in the Agreement would oblige a Party to exploit its water for commercial use, including its withdrawal, extraction, or diversion for export in bulk.

International rights and obligations respecting natural water resources are addressed in separate treaties and agreements. An example is the *1909 Treaty Between the United States and Great Britain Relating to Boundary Waters, and Questions Arising Between the United States and Canada*.

I have the honor to propose that this letter and your letter in reply, equally valid in English and French, confirming that your government shares this understanding, shall constitute an understanding between the United States and Canada, which shall enter into effect on the date of your letter in reply.

Sincerely,