Rule 10 Definitions

010. Definitions.

→ NOTE: The yellow highlighted portions represent those definitions described in Statute ←

Unless the context otherwise requires, the following definitions govern these rules.

01. Active Storage. The water volume in the reservoir stored for irrigation, water supply, power generation, flood control, or other purposes but does not include flood surcharge. Active storage is the total reservoir capacity in acre-feet, less the inactive and dead storage.

02. Alterations, Repairs or Either of Them. Only such alterations or repairs as may directly affect the safety of the dam or reservoir, as determined by the Director. Alterations, repairs does not include routine maintenance items.

03. Appurtenant Structures. Ancillary features (e.g. outlets, tunnels, gates, valves, spillways, auxiliary barriers) used for operation of a dam, which are owned by the dam owner or for which the owner has responsible control.

XX. **Artificial barrier or embankment.** Any structure constructed to impede or obstruct the flow of water.

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04. Board. The Idaho Water Resource Board.

05. Certificate of Approval. A certificate issued by the Director for all dams or mine tailings impoundment structures listing restrictions imposed by the Director, and without which no new dams shall be allowed to impound water or mine tailings impoundment structures shall be allowed to impound mine tailings slurry.

06. Dam. Any artificial barrier together with appurtenant works, which is or will be ten (10) feet or more in height and has or will have an impounding capacity at maximum storage elevation of fifty (50) acre-feet or more. Height of a dam is defined as the vertical distance from the natural bed of the stream or watercourse at the downstream toe of the barrier, as determined by the Director, or from the lowest elevation of the outside limit of the barrier, if it is not across a stream channel or watercourse, to the maximum water storage elevation. The following are not included as regulated dams or are not considered dams for the purposes of sections 42-1710 through 42-1721, Idaho Code:

a. Barriers in a canal used to raise or lower water therein or divert water therefrom.

b. Fills or structures determined by the Director to be designed primarily for highway or railroad traffic.

c. Fills, retaining dikes or structures less than twenty (20) feet in height, which are under jurisdiction of the Department of Environmental Quality or the Department of Agriculture, determined by the Director of the Department of Water Resources to be designed primarily for retention or treatment

of municipal, livestock, or domestic wastes, or sediment and wastes from produce washing or food processing plants.

d. Levees, that store water regardless of storage capacity.

07. **Small Dams**. Artificial barriers twenty (20) feet or less in height that are capable of storing less than one hundred (100) acre-feet of water.

08. **Intermediate Dams**. Artificial barriers more than twenty (20) feet, but less than forty (40) feet in height, or are capable of storing one hundred (100) acre-feet or more, but less than four thousand (4,000) acre-feet of water.

09. **Large Dams**. Artificial barriers forty (40) feet or more in height or are capable of storing four thousand (4,000) acre-feet or more of water.

XX. **Conduit.** A pipe or other constructed conveyance within a water storage dam or mine tailings impoundment structure designed to release water or liquid in the reservoir.

XX. **Core.** A zone of relatively low permeability material within an embankment dam.

XX. **Cutoff Trench**. An excavation later to be filled with impervious material during construction of a water storage dam or mine tailings impoundment structure so as to limit seepage beneath structure and through the foundation.

11. **Days Used in Establishing Deadlines**. Calendar days including Sundays and holidays.

12. **Dead Storage**. The water volume in the bottom of the reservoir stored below the lowest outlet and generally unavailable for ~~is not~~ withdrawal ~~n from storage~~.

13. **Department**. The Idaho Department of Water Resources.

14. **Design Evaluation**. The engineering analysis required to evaluate the performance of a dam relative to earthquakes, floods or other ~~site-specific~~site-specific conditions that are anticipated to affect the safety of a dam or operation of appurtenant facilities.

15. **Director**. The Director of the Idaho Department of Water Resources.

XX. **Emergency Action Plan.** A written plan with instructions to be taken to reduce the potential for property damage and loss of life in an area affected by a dam failure or uncontrolled release of water.

17. **Enlargement**. Any change in or addition to an existing dam, reservoir, or mine tailings impoundment structure which raises or may raise the water storage elevation of the water impounded by the dam or mine tailings slurry impounded by the mine tailings impoundment structure.

18. **Factor of Safety**. A ratio of available shear strength to shear stress, required for stability.

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XX. Flashboards. Structural members of timber, concrete, steel or other erosion resistant material placed across a channel or entrance to a spillway to temporarily raise the surface level of the reservoir.

XX. Flood. An increase in water surface elevation due to naturally occurring runoff or other rise in water levels that result in the inundation of areas not normally covered by water. As defined herein floods may be expressed in terms of average probability of exceedance per year, corresponding to values which may be described as flow rate, volume, or elevation.

19. Flood Surcharge. A variable volume of water temporarily detained in the upper part of a reservoir, in the space (or part thereof) that is filled by excess runoff or flood water, above the approved design maximum storage elevation. Flood surcharge cannot be retained either because of physical or administrative factors but is passed through the reservoir and discharged by the spillway(s) until the reservoir level has been drawn down to the maximum storage elevation.

XX. Hazard. The potential consequences to downstream life and property resulting from a dam failure and uncontrolled release of water, exclusive of the size or the physical condition of the dam or mine tailings impoundment structure. Hazard Classification shall b e assigned to new and existing dams or mine tailings impoundment structures based on the severity of failure consequences to life and property.

XX. Hydraulics. The conveyance of liquid through pipes and channels.

XX. Hydrology. The study of precipitation, snowmelt, and runoff in relation to land surfaces.

20. Inflow Design Flood (IDF). The flood specified for designing the dam and appurtenant facilities.

XX. Levee. A retaining structure alongside a natural lake which has a length that is two hundred (200) times or more greater than its greatest height measured from the lowest elevation of the toe to the maximum crest elevation of the retai8ning structure.

XX. Lift Construction. Mine tailings impoundment structure enlargement by raising the elevation of the structure on a continuous or recurring basis. Such practice will be considered under construction until the structure reaches its final crest elevation.

21. Maximum Credible Earthquake. The largest earthquake that reasonably appears capable of occurring under the conditions of the presently known geology and seismic history.

XX Maximum Water Storage Elevation. The maximum design elevation of water surface which can be impounded by the dam or reservoir.

22. Operation Plan. A specific plan that promotes the safe operation of the water storage dam or mine tailings impoundment structure will assure the project is safely managed for its intended purpose, and which provides reservoir operating rule curves or specific limits and procedures for controlling inflow, storage, and/or release of water or slurry., diverted into, passed through or impounded

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~~by a dam.~~

23. **Owner**. Includes any of the following who own, control, operate, maintain, manage, or propose to construct a dam, reservoir or mine tailings impoundment structure:

a. The state of Idaho and its departments, agencies, institutions and political subdivisions;

b. The United States of America and any of its departments, bureaus, agencies and institutions; provided that the United States of America shall not be required to pay any of the fees required by Section 42-1713, Idaho Code, and shall submit plans, drawings and specifications as required by Section 42-1712, Idaho Code, for information purposes only;

c. Every municipal or quasi-municipal corporation.

d. Every public utility;

e. Every person, firm, association, organization, partnership, business trust, corporation or company;

f. The duly authorized agents, lessees, or trustees of any of the foregoing;

g. Receivers or trustees appointed by any court for any of the foregoing;

24. **Reservoir**. Any basin which contains or will contain the water impounded by a dam.

25. **Storage Capacity**. The total storage in acre-feet at the maximum storage elevation.

XX. **Spillway.** A constructed channel over or through a water storage dam or mine tailings impoundment structure which is designed to accommodate the inflow design flood and thus prevent overtopping by the reservoir.

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XX. **Surety.** Monetary bond or other approved financial instrument secured by the owner of a mine tailings impoundment structure payable to the Director of Department of Water Resources.

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27. **Release Capability**. The ability of a dam to pass excess water through the spillway(s) and outlet works and otherwise discharge.

04. **Mine Tailings Impoundment Structure**. Any artificial embankment which is or will be more than thirty (30) feet in height measured from the lowest elevation of the toe to the maximum crest elevation constructed for the purpose of storing mine tailings slurry.

05. **Mine Tailings Slurry**. All slurry wastes from a mineral processing or mining operation.

06. Mine Tailings Storage Capacity. The total storage volume of the impoundment when filled with tailings to the maximum approved design storage elevation.

07. Borrowed Fill Embankment. Any embankment constructed of borrowed earth materials and which is designed for construction by conventional earth moving equipment.

14. Professional Engineer. A person who has been duly licensed as a professional engineer by the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors under chapter 12, title 54, Idaho Code.