

**151.100 Definitions for KRS 151.110 to 151.460 and 151.990.**

As used in KRS 151.110 to 151.460 and 151.990:

- (1) "Authority" means the Water Resources Authority of Kentucky;
- (2) "Authorized representative" means an individual specifically authorized by the secretary to act on his or her behalf;
- (3) "Base flood" means the elevation of surface water resulting from a flood that has a one percent (1%) chance of equaling or exceeding that level in any given year;
- (4) "Cabinet" means the Energy and Environment Cabinet;
- (5) "Dam" means any artificial barrier, including appurtenant works, which does or can impound or divert water, and which either:
  - (a) Is or will be twenty-five (25) feet or more in height from the natural bed of the stream or watercourse at the downstream toe of the barrier, as determined by the cabinet; or
  - (b) Has or will have an impounding capacity at maximum water storage elevation of fifty (50) acre-feet or more;
- (6) "Diffused surface water" means that water which comes from falling rain or melting snow or ice, and which is diffused over the surface of the ground, or which temporarily flows vagrantly upon or over the surface of the ground as the natural elevations and depressions of the surface of the earth may guide it, until such water reaches a stream or watercourse;
- (7) "Domestic use" means the use of water for ordinary household purposes, and drinking water for poultry, livestock, and domestic animals;
- (8) "Embankment dam" means any dam constructed of excavated natural materials or of industrial waste materials;
- (9) "Floodplain" means the area in a watershed that is susceptible to being inundated by floodwaters from any source;
- (10) "Floodway" means the channel of a river, stream, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height;
- (11) "Gravity dam" means a dam constructed of concrete or masonry that relies on its weight for stability;
- (12) "Groundwater" means all water which fills the natural openings under the earth's surface, including all underground watercourses, artesian basins, reservoirs, lakes, and other bodies of water below the earth's surface;
- (13) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;
- (14) "Owner" means any person who owns an interest in, controls, or operates a dam;
- (15) "Person" means any individual, public or private corporation, political subdivision, government agency, municipality, copartnership, association, firm, trust, estate, or other entity whatsoever;

- (16) "Reservoir" means any basin which contains or will contain the water impounded by a dam;
- (17) "Secretary" means the secretary of the Energy and Environment Cabinet;
- (18) "Stream" or "watercourse" means any river, creek, or channel, having well defined banks, in which water flows for substantial periods of the year to drain a given area, or any lake or other body of water in the Commonwealth;
- (19) "Water resources project" or "project" means any structural or nonstructural study, plan, design, construction, development, improvement, or any other activity including programs for management, intended to conserve and develop the water resources of the Commonwealth and shall include all aspects of water supply, flood damage abatement, navigation, water-related recreation, and land conservation facilities and measures;
- (20) "Watershed" means all the area from which all drainage passes a given point downstream; and
- (21) "Withdraw" or "withdrawal" of water means the actual removal or taking of water from any stream, watercourse, or other body of public water.

**Effective:** June 29, 2023

**History:** Amended 2023 Ky. Acts ch. 159, sec. 1, effective June 29, 2023. -- Amended 2017 Ky. Acts ch. 129, sec. 5, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 177, effective July 15, 2010. -- Amended 1988 Ky. Acts ch. 405, sec. 1, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 111, sec. 84, effective July 13, 1984; and ch. 216, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 214, sec. 1, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(9); and ch. 285, sec. 1. -- Created 1966 Ky. Acts ch. 23, sec. 1.

**Legislative Research Commission Note (6/29/2023).** Under the authority of KRS 7.136(1), the Reviser of Statutes has renumbered certain subsections in this statute during codification to place the terms in alphabetical order. The words in the text were not changed.