**74:02:08:07.01.  Category 3 spillway design flood exception.** For small size category 3 dams with an emergency spillway, the minimum spillway design flood is a 25-year frequency if the product of the intermediate storage capacity times the effective height is less than 3000. For small size category 3 dams without an emergency spillway, the spillway design flood is a 25-year frequency if the product of the maximum storage capacity times the effective height is less than 3000.

 **Source:** 13 SDR 197, effective July 2, 1987.

 **General Authority:** SDCL 46-2-5, 46-7-3.

 **Law Implemented:** SDCL 46-5-8, 46-5-30, 46-7-3, 46-7-5.