§ 15-1703. Definitions.

When used in title 17 of this article unless otherwise expressly stated or unless the context or subject matter otherwise requires:

1. "Licensee" means a person or public corporation holding a license issued pursuant to title 17 of this article, his successor in interest or assign;

2. "Stream" means a river or other stream and its tributaries;

3. "Water power site" means the real property including rights appurtenant thereto or which may become appurtenant thereto which, when a water power is developed, is necessary or useful for the construction, maintenance and operation of a plant for the use of a fall of water for the generation of power;

4. "Developed water power site" is a "water power site" where the development is used or usable in its present condition for the generation of power or where the works of such development are being constructed or are in course of repair;

5. "Surplus canal waters" means such waters flowing in canal feeders, artificial canals or the canalized streams of the state, as in the judgment of the Commissioner of Transportation, are not necessary for any canal uses or purposes;

6. "Project" means a complete unit of improvements or development, consisting of a power plant, all water conduits, or dams and appurtenant works and structures which are a part of such unit, and all storage, diverting or forebay reservoirs connected therewith, the primary line or lines transmitting power therefrom to the point of junction with the distribution system, all miscellaneous structures used and useful in connection with such unit or part thereof, and all water rights, rights of ways, ditches, dams, reservoirs, lands or interest in lands, the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit;

7. "Project works" means physical structures of a "project;"

8. "Reconstruction cost" of a project or of any part thereof means the actual and reasonable original cost to the licensee of the lands or interests in the lands of such project or such part, less depreciation, if any, plus the cost of reproducing the ways, means and works thereon less the depreciation of such ways, means or works, including in such costs a reasonable allowance for organization and development expenses, but excluding therefrom any allowance for the value of the license or any contract, lease or franchise, or value as a going concern, or future profits in pending or existing contracts or prospective profits, revenues, dividends or any other intangible element;

9. "Real property", without words of limitation, includes all uplands, lands under water, waters of any lake, pond or stream, all water and riparian rights or privileges, all dams, races, sluiceways, and machinery connected therewith, and all land, water and rights necessary to carry out any project or development provided for by title 17 of this article, including the right to divert running water of any stream or streams, and lands necessary for such diversion, and all easements and incorporeal hereditaments, and every estate, interest and right, legal or equitable in land and water, including terms for years and liens on real property as above defined and all real property as above defined, acquired and used for railroad, highway and other public purposes in any county containing a part of the forest preserve as now constituted.

10. For other definitions, also applicable in this title, see section 15-0107.