

16th January, 2013

LEGAL NOTICE NO. 9

THE WATER ACT
(No. 8 of 2002)

IN EXERCISE of powers conferred by section 44 of the Water Act 2002, the Water Resources Management Authority, makes the following Order:—

THE LAKE NAIVASHA GROUNDWATER CONSERVATION AREA ORDER, 2012

Citation

1. This Order may be cited as the Lake Naivasha Groundwater Conservation Area Order, 2012.

Interpretation

L.N.171 of 2007.

2. In this Order, unless the context otherwise requires—

“Authority” means the Water Resources Management Authority established under section 7 of the Act;

“Lake Naivasha Groundwater Conservation Area” means the part of Lake Naivasha Catchment Area falling below 2,000 metres above the mean sea level contour line as illustrated in the Schedule;

“use of water” means the use of water in accordance with the Act;

“Water Resources Management Rules,” means the Water Resources Management Rules, 2007.

Application of the Order

3. This Order shall apply to the use of groundwater of the Lake Naivasha Groundwater Conservation Area.

Declaration of conservation area

4. The Lake Naivasha Groundwater Conservation Area is declared to be a groundwater conservation area for the purposes of the Act.

5. (1) Every borehole owner shall ensure that a wellhead protection area within a radius of ten meters is reserved where land use activities not associated with the water supply from the borehole and its management are prohibited.

(2) Every abstractor of borehole water within the Groundwater Conservation Area shall submit monthly records of water abstracted to the respective regional offices of the Authority where the borehole is located.

(3) Within three months of the coming into effect of this Order all borehole water abstractors shall-

(a) have boreholes fitted with dipper tubes;

(b) not abstract water without passing it through a meter;

(c) inspect periodically their water meter to confirm that it is not defective.

(4) Every abstractor of borehole water shall take into account the reserve water requirements as determined.

Offences.

6. (1) Any person who contravenes this Order commits an offence and is liable upon conviction to a fine of fifty thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SCHEDULE

MAP 1. LAKE NAIVASHA GROUNDWATER CONSERVATION AREA

IMAGE

Dated the 20th December, 2012.

PHILLIP OLUM,
Chief Executive Officer,
Water Resources Management Authority.