

THE WATER ACT, 2016

(No. 43 of 2016)

IN EXERCISE of the powers conferred by Section 22 of the Water Act, 2016, the Water Resources Authority hereby makes the following Order —

THE KABEERE SPRINGS CATCHMENT PROTECTION AREA
ORDER, 2022

1. This Order may be cited to as the Kabeere Springs Catchment Protection Area Order, 2022.

Citation.

2. In this Order, except where the context otherwise requires—

Interpretation.

“Act” means the Water Act, 2016;

No. 43 of 2016.

“association” means a water resources users association registered by the Authority in accordance with the Act;

“Authority” means the Water Resources Authority established under section 11 of the Act;

“basin area” means the area designated by the Authority as a basin area under section 24 of the Act;

“protected area” means the area declared to be a catchment protected area under paragraph 4 of this Order and is demarcated for protection and conservation within the Kabeere Springs Catchment Management Plan;

“Kabeere Springs Catchment Management Plan” means the management and conservation plan developed by the Authority in respect of the protected area.

“riparian reserve” means land in respect of which management obligations are imposed on users or owners by the Authority due to its proximity to the protected area.

"soil and water conservation plan" means soil and water Conservation Plan as defined in the Water Resources Regulations, 2021.

“sub-basin area” means the area designated by the Authority as a basin area under section 24(2) of the Act.

3. This Order and the Kabeere Springs Catchment Management Plan shall apply to the National Government, national government entities, County Governments, county government entities and any other person being a user of water resources and the riparian reserve of the Protected Area.

Application of the Order.

4. The Kabeere Springs Catchment Protection Area comprised under the First Schedule and is demarcated for protection and conservation within the Kabeere Springs Catchment Management Plan is declared to be a protected area for the purposes of the Act.

Declaration of protected area.

5. (1) The Kabeere Springs Catchment Management Plan shall come into effect immediately upon publication of this Order in the Gazette and shall, without prejudice to the provisions of the Regulations developed under the Act, be the basis for protection, conservation and use of the water resources within the Groundwater Conservation Area.

Kabeere Springs Catchment Management Plan.

(2) The Authority shall place signboards and beacons in or near the Protected Area or in appropriate public places frequented by land and water users and at the Authority’s offices; displaying up-to-date information about the condition of the water resources of the Protected Area.

(3) The public notices shall contain information regarding the action required of water and land users to conserve and protect the water resources of the Protected Area.

6. Any person who:

Penalty.

(a) contravenes this Order; or

(b) fails to comply with the provisions of the Kabeere Springs Catchment Management Plan,

commits an offence and is liable upon conviction to a fine of twenty thousand shillings or imprisonment for a term not exceeding six months, or to both.

NOTE:

1. The area declared as a protected area is commonly known as Kabeere Springs.

2. It is located in located in Kabubungi area of Ngusishi location in Timau Division, Buuri district, Meru County within the Upper Ewaso Ngiro Sub Region. The protected area is approximately 5 acres (2.02 Hectares).

3. Its entire watershed area measures 3.89 square kilometres (389 hectares) out of the 31.8 km² of the Ngusishi river catchment area.

Made on the 13th December, 2022.

MOHAMED M. SHURIE,
Chief Executive Officer
Water Resources Authority.