

THE WATER ACT, 2016

(No. 43 of 2016)

IN EXERCISE of the powers conferred by Section 23 of the Water Act, 2016, the Water Resources Authority hereby makes the following Order —

THE MANGUO SWAMP GROUNDWATER CONSERVATION  
AREA ORDER, 2022

1. This Order may be referred to as the Manguo Swamp Groundwater Conservation Area Order, 2022.

Citation.

2. In this Order, except where the context otherwise requires —  
“Act” means the Water Act, 2016;

Interpretation.

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;

“groundwater conservation area” means the area declared to be a groundwater conservation area under Paragraph 4 of this Order;

“Manguo Swamp Groundwater Conservation Plan” means the management and conservation plan developed by the Authority in respect of the Manguo Swamp Groundwater Conservation Area set out in the Second Schedule of this Order;

“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 groundwater conservation 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 Manguo Swamp Groundwater Conservation 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 Manguo Swamp Groundwater Conservation Area.

Application of the Order.

4. The Manguo Swamp Groundwater Conservation Area comprised in the First Schedule and is demarcated for protection and conservation within the Manguo Swamp Groundwater Conservation Plan is declared to be a groundwater conservation area for the purposes of the Act.

Declaration of groundwater conservation area.

5. (1) The Manguo Swamp Groundwater Conservation 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.

Manguo Swamp Groundwater Conservation Plan.

(2) The Authority shall place signboards and beacons in or near the Groundwater Conservation 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 Groundwater Conservation 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 Groundwater Conservation Area.

6. Any person who:

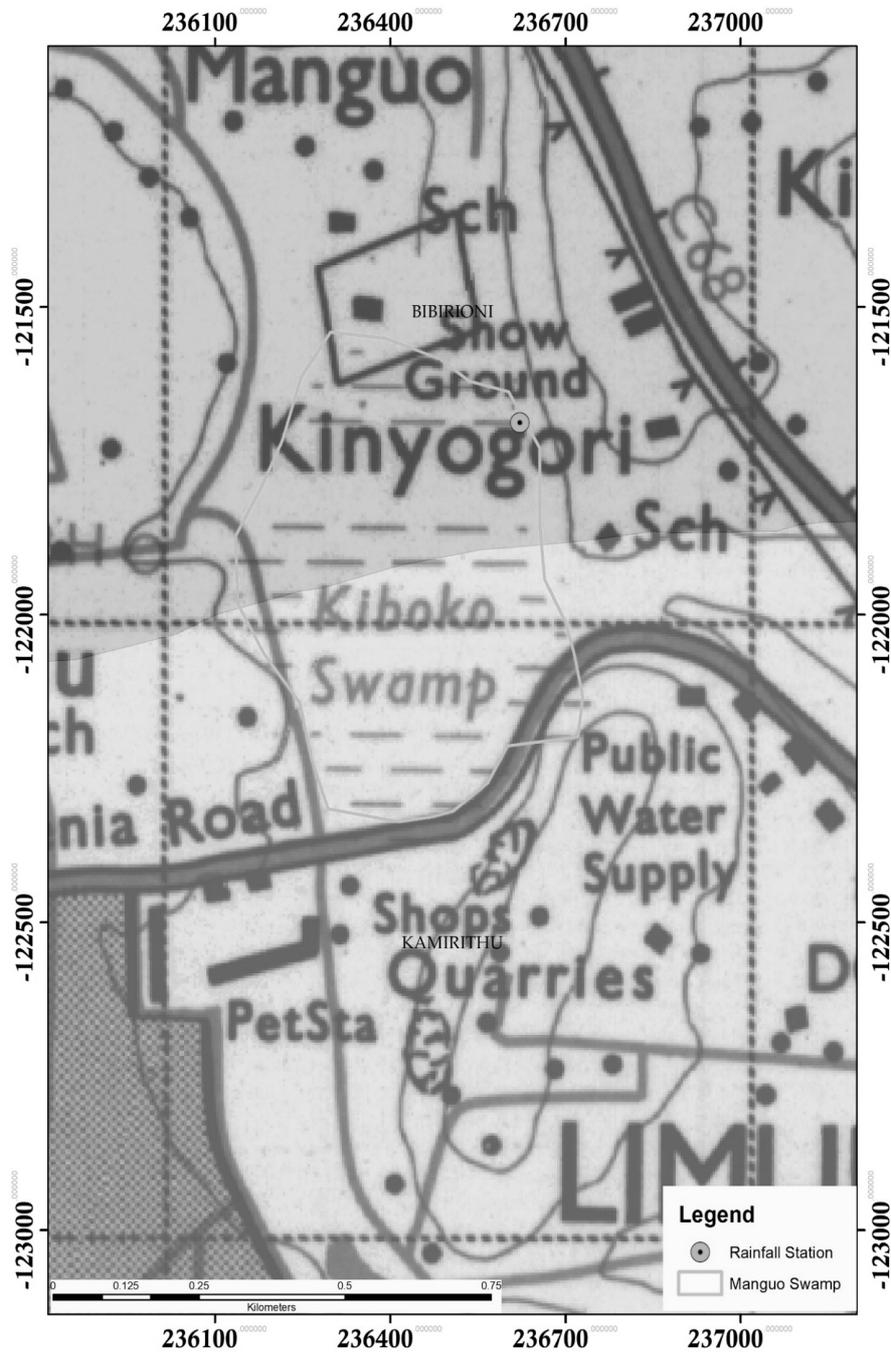
Penalty

(a) contravenes this Order; or

(b) fails to comply with the provisions of the Manguo Swamp Groundwater Conservation Plan,

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

FIRST SCHEDULE  
THE MANGUO SWAMP GROUNDWATER CONSERVATION AREA (r. 2, 4)



NOTE:

1. The area declared as a protected area is commonly known as Manguo or Kiboko Swamp.

2. It is located in Kamirithu sub location of Limuru location, Limuru Sub County, Kiambu County and within the 3BA sub basin of Athi Basin Area. The land area to be protected is approximately 0.334 km<sup>2</sup> (33.4 Hectares).

3. The area lies within the 3BA (*L.N. 235 of 2021*) sub basin and is the source of the Ithanji river, a tributary of Tigoni river. The groundwater conservation area is in the form of a basin-like depression with an outlet to the south-east into Ithanji River.

Made on the 17th November, 2022

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