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Water Act

The Water (Resources) Regulations, 2025

Legal Notice 58 of 2025

Legislation as at 7 March 2025

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WATER ACT

THE WATER (RESOURCES) REGULATIONS, 2025 LEGAL NOTICE 58 OF 2025

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Part I – PRELIMINARY

1. Citation

These Regulations may be cited as the Water (Resources) Regulations, 2025.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"abstraction" means the taking of water from any water resource, either permanently or temporarily;

"Act" means the Water Act (Cap 372);

"airline" is a tube installed in a borehole or well for the purposes of measuring the water level;

"alteration" means any physical change in the depth, diameter, casing, screen or any other structural change in an existing borehole, or any consequent change in permit yield as a result of an approved variation;

"analysis" means the testing or examination of any matter, substance or process for the purpose of determining its composition or qualities or its effect whether physical, chemical or biological on any segment of water;

"aquifer" has the meaning assigned to it in section 2 of the Act;

"artificial groundwater recharge" means the intentional augmentation of groundwater resources by directly improving the infiltration of water to a target aquifer through the construction of suitable recharge structures;

"Authority" has the meaning assigned to it in section 2 of the Act;

"authorisation" means authorisation issued by the Authority to construct works;

"basic human needs" is the quantity of water required for drinking, food preparation, washing of clothes, bathing, basic sanitation and is assumed to be equal to twenty-five litres per person per day;

"basin area" has the meaning assigned to it in section 2 of the Act;

"basin water resources committee" has the meaning assigned to it in section 2 of the Act;

"basin area water resources management strategy" means a document that has been prepared for the purpose of directing the management of the water resources within the basin area;

"borehole" means a hole, usually vertical, drilled for the extraction of or measurement of groundwater;

"Cabinet Secretary" has the meaning assigned to it in section 2 of the Act;

"canal" means any surface drain, ditch, furrow, channel, flume or other conduit for conveying water, the surface of which is at atmospheric pressure;

"charges" has the meaning assigned to it in section 2 of the Act;

“chemical” means a chemical substance in any form whether by itself or in a mixture or preparation, whether manufactured or derived from nature and includes industrial chemicals, pesticides, fertilizers and drugs;

“class of water resource” means the set of categories that have been established under these Regulations to distinguish one water resource quality from another;

“commercial irrigation” means irrigation primarily for commercial purposes;

“compensation flow” means the flow released from a dam or weir which is required for downstream uses and the reserve;

“contractor” means any person holding a licence to undertake the works issued under these Regulations to carry out any water works either individually or as a body corporate or incorporated for voluntary, business, training or teaching purposes in the field either for gain or reward, or at no charge at all;

“controlling device” means a fitting, equipment or infrastructure which can be adjusted so as to control the flow or level of water;

“county government” has the meaning assigned to it in section 2 of the Act;

“dam” includes any existing or proposed structure together with appurtenant works, which is capable of containing, storing or impounding water including temporary impoundment or storage above ground level, whether that water contains any substance or not;

“day” means a day of twenty-four hours;

“discharge” means volumetric flow rate;

“domestic water demand” is the quantity of water required to satisfy all domestic needs;

“driller” or “drilling contractor” means a person, firm or agency which is registered under these Regulations to undertake the construction or rehabilitation of a borehole;

“easement” has the meaning assigned to it in section 2 of the Act;

“easement of aqueduct” means an easement for the storage of water by the construction of a dam, weir, abstraction or other works, with the consequent submergence of the area covered by stored water, but in this connection does not include an easement of work;

“easement of work” means an easement for the construction of a dam, weir, embankment, training works, pump, turbine, power-house and other ancillary works, but does not include an easement for storage, except when the water stored is obtained from a well;

“effluent” means waste which is—

- (a) a liquid which flows out of a containing space; and
- (b) sewage water or other liquid, untreated, partially or completely treated discharged directly or indirectly into a water resource;

“environment” includes the physical factors of the surroundings of human beings including land, water, atmosphere, climate, sound, odour, taste, the biological factors of animals and plants and the social factor of aesthetics and includes both the natural and the built environment;

“emergency” means a disaster or hazard caused by climatic, hydrologic, tectonic, accidental, natural or manmade events which have or potentially can affect a large population and which require extraordinary measures to be undertaken to safeguard public interests;

“evidence of land” means where the land is registered, the registered document of title and where the land is not registered, other documentary evidence satisfactory to the Authority that the applicant is the lawful landholder or has the authority of the lawful landholder to make the application;

“fish farming” means the breeding and or raising of fish for commercial purposes;

- “flood flow” means any flow of water that exceeds the Q80 flow value;
- “flow” means a volume of water passing a cross section of a body of water, watercourse or works in a unit of time;
- “fresh water limit” means the place in water where at low tide and in a period of low fresh water flow there is an appreciable increase in salinity due to the presence of sea water;
- “groundwater” has the meaning assigned to it in section 2 of the Act;
- “groundwater potential” means groundwater potential as defined by the Authority in water resources allocation guidelines issued by the Authority;
- “in-stream works” refers to any infrastructure built within or across a water course;
- “indexation” means the methodology for adjustment of the water use charge whereby the water use charge is allowed to change by the rate of inflation over the initial price;
- “inspector” means the person appointed by the Authority under regulation 78;
- “irrigation” means the artificial application of water to a plant;
- “landholder” has the meaning assigned to it in section 2 of the Act;
- “land reclamation” means the process of making land capable of more intensive use by changing its general character by drainage of excessively wet land, irrigation of arid or semiarid land or recovery of submerged land from seas, lakes and rivers;
- “licence” has the meaning assigned to it in section 2 of the Act;
- “managed aquifer recharge” means the intentional and monitored augmentation of groundwater resources by directly improving the infiltration of water to a target aquifer through the construction of suitable recharge structures;
- “material change” means any variations to volumes of water allocated to a permit holder under a permit or change to the quality and nature of effluent to be discharged in respect to an effluent discharge permit issued by the Authority;
- “measuring device” means a fitting, equipment or infrastructure which can be calibrated to provide an accurate measure of the flow or level of water;
- “Ministry” means the Ministry responsible for matters relating to water;
- “natural resources” includes resources of air, land, water, animals and plants including their aesthetic qualities;
- “normal flow” means any flow of water that is less than the Q80 flow value;
- “water body” means groundwater and water contained in or flowing in a spring, stream, lake, pond, wetland, marsh or swamp;
- “non-point source” means dispersed sources of water pollution;
- “normal water level” means the water level at the dam spillway crest level;
- “operator” means any person authorised to construct works under these Regulations by authorisation, or to divert, abstract, or use water by permit;
- “pan” means hand or mechanically excavated structure constructed for retaining water;
- “permit” has the meaning assigned to it under the Act;
- “person” has the meaning assigned to it in section 2 of the Act;
- “pH” means the negative base 10 logarithm of the hydrogen ion concentration;

“point source” means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, conduit, tunnel, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged;

“pollution” has the meaning assigned to it in section 2 of the Act;

“pond” means a natural depression that contains water;

“water sector professional” means a person qualified under these Regulations to provide the services of a professional chemist, hydrologist, hydrogeologist, engineer, surveyor or other professional service required to be performed under the Act;

“receiving water body” means any surface or groundwater body that may be used for effluent disposal under the Act;

“regional office” means an office of the Authority established within or near to a basin area pursuant to the provisions of the Act;

“rehabilitation” means any physical, mechanical or chemical process undertaken in any water infrastructure to improve its operational status;

“reserve” has the meaning assigned to it in section 2 of the Act;

“resource quality” has the meaning assigned to it in section 2 of the Act;

“resource quality objectives” has the meaning assigned to it in section 2 of the Act;

“riparian reserve” means land which by virtue of its proximity to a water body, management obligations shall be imposed on the landholder by the Authority;

“riparian landholder” means the owner of a riparian reserve;

“soil and water conservation plan” means a set of activities that have to be done in order to reduce the likelihood of soil and water loss from the landscape;

“spring” has the meaning assigned to it in section 2 of the Act;

“standard” means the limits as established under these Regulations which are made pursuant to the Act or any other written law;

“stream” has the meaning assigned to it in section 2 of the Act;

“subsistence irrigation” means irrigation primarily for household food security purposes;

“swamp” has the meaning assigned to it in section 2 of the Act;

“test yield” means the average discharge rate of the constant discharge pumping test conducted on a borehole;

“use of water” has the meaning assigned to it in section 2 of the Act;

“variation” means any authorised amendment made to a water permit;

“waste” includes any matter prescribed to be waste and any matter whether liquid, solid, gaseous, hot or radioactive substances, which is discharged, emitted or deposited in the environment in such volume composition or manner likely to cause an alteration of the environment;

“Waste Disposal Control Plan” means the plan referred to in the Third Schedule whose purpose is to control the discharge of any pollutant into a water resource;

“watercourse” has the meaning assigned to it in section 2 of the Act;

“water resource” has the meaning assigned to it in section 2 of the Act;

“water resources monitoring network” means the set of equipment, infrastructure established for the purpose of monitoring the quantity and quality of the water resources;

“water resource user association” means an association of water users, riparian landholders, or other stakeholders who have formally and voluntarily associated for the purposes of cooperatively sharing, managing and conserving a common water resource and resolution of water use conflict;

“water services” has the meaning assigned to it in section 2 of the Act;

“water service provider” has the meaning assigned to it in section 2 of the Act;

“Water Tribunal” means the Water Tribunal established by section 119 of the Act;

“water works development agencies” has the meaning assigned to it in section 2 of the Act;

“weir” means an obstruction placed across the watercourse or body of water for the primary purpose of abstracting or diverting water or arresting or retarding its flow, but not for storage;

“wetland” means an area where plants and animals have become adapted to temporary or permanent flooding by saline, brackish or fresh water; and

“works” has the meaning assigned to it in section 2 of the Act.

3. Objects of the Regulations

The objects of the Regulations are to provide for the—

- (a) regulation of water resources and water use activities; and
- (b) registration of water sector professionals.

4. Units

For the purposes of these Regulations, unless specifically stated otherwise, the units shall be International System of Units.

5. Application

These Regulations shall apply to—

- (a) the regulation, management, use and development of water resources in Kenya; and
- (b) all water resources of Kenya whether perennial or seasonal including water resources of the territorial sea.

Part II – PRESCRIPTION OF WATER USE ACTIVITIES

6. Water use activities

Without prejudice to the generality of section 2 of the Act, the activities listed in Part 1 of the First Schedule carried out on or in relation to a water resource are water use activities requiring a water use permit.

7. Requirement for a permit for water use activities

The activities listed in Part 2 of the First Schedule are water use activities in respect to which an application for variation of a water use permit shall be required.

8. Categorization of water resource use applications

- (1) The Authority shall categorise water use activities based on the criteria set out in Part 3 of the First Schedule.

- (2) In making a decision under subregulation (1), the authority shall consult the basin water resources committee, the water resource users association and, where there is no registered water resource users association, local representative associations whose objectives are natural resource use or natural resource use conflict resolution.
- (3) In determining the category into which a water use activity falls, account shall be taken of and effect given to the—
 - (a) differences associated with the characteristics of the catchment or basin in which the water resources are located; and
 - (b) particular circumstances of each water resource as stipulated by the Authority in water allocation guidelines issued by the Authority from time to time.
- (4) A party aggrieved with a decision made by the Authority under this regulation may appeal to the Water Tribunal.

Part III – PERMIT OR OTHER AUTHORITY FOR WATER USE

9. Application for a permit

- (1) A person who intends to undertake an activity involving the use of water specified under Part 1, 2 and 3 of the First Schedule shall apply to the Authority for a water use permit.
- (2) A person who contravenes this regulation commits an offence and is liable on conviction to the penalty prescribed under section 147 of the Act.

10. Temporary permit

Where the activity for which the water is intended to be used is temporary in nature, an applicant may apply for a temporary water use permit for a period of one year or such longer period, not exceeding two years as the Authority may consider appropriate, considering the nature of the activity.

11. Verification of existing permits

- (1) A holder of a water use permit or authorisation issued before the commencement of these Regulations shall within twelve months of the commencement of these Regulations submit the water use permit or authorisation to the nearest sub-regional office of the Authority for verification, validation or other appropriate action.
- (2) The Authority shall revoke or suspend the water use permit or authorisation where the holder fails to submit it within the specified period.

12. Water use to be appurtenant to land

- (1) An application for a water use permit shall be made by the landholder on which the water use is to be undertaken and where the applicant is not the landholder, the consent of the landholder shall be endorsed on the application.
- (2) The application in subregulation (1) shall be accompanied by evidence of land ownership.

13. Wayleaves, easements, etc.

- (1) A person applying for a water use permit for the use of water on land other than the land on which the water use activity is to be undertaken shall provide to the Authority evidence that he has lawful access to the water resource in the form of an easement, wayleave or other right of access recognisable in law.

- (2) An application for an easement or other right of access shall be in Form WRA 002 as set out in the Tenth Schedule accompanied with the fees specified in the Second Schedule.
- (3) The easement or right of access referred to in this regulation may be in existence at the time of the application or to be granted upon the issue of the water use permit.
- (4) A person intending to enter upon land belonging to other persons for survey or investigative purposes of water resource management or development shall submit to the Authority an application in Form WRA 017 as set out in the Tenth Schedule.
- (5) The Authority shall not be liable for any damage or losses arising from works developed by a water use permit holder or a person authorised to construct works for the use of water.

14. Consent of owner of works

- (1) An applicant intending to use works owned by another person shall make an application to the authority for the use of the works.
- (2) The application in subregulation (1) shall be accompanied by a consent in writing of the owner of the works or an agreement with the owner of the works.
- (3) The Authority may after considering the application—
 - (a) issue the water use permit in Form WRA 010 as set out in the Tenth Schedule; or
 - (b) deny the application.
- (4) Where in the opinion of the Authority monitoring and control of the water use activity would be best achieved by the issuance of separate permits to applicants intending to share common works, the Authority may issue separate water use permits or a supplement to the permit in Form WRA 020 as set out in the Tenth Schedule.

15. Use of existing works in the public interest

- (1) The Authority may in the public interest permit the use of existing works to another person after giving the owner of the works an opportunity to make representations provided that the water use of the owner of the works is not adversely affected.
- (2) The owner of the works referred to under subregulation (1) shall be entitled to prompt and fair compensation for the use of the works.

16. Approval of Category A applications

- (1) A person who intends to use water works classified under Category A of the First Schedule shall make an application to the Authority using Form WRA 001 in the Tenth Schedule and pay the fees specified in the Second Schedule.
- (2) The application in subregulation (1) shall be accompanied by evidence of consultations carried out with the water resource users association and, where there is no registered water resource users association, the local representative associations whose objectives are natural resource use and or natural resource use conflict resolution.
- (3) The Authority shall consider the application and—
 - (a) if satisfied that the proposed water use poses a low risk of impact on the water resource, approve the application by endorsing approval on the application form referred to in subregulation (1); or
 - (b) reject the application and give reasons for such rejection to the applicant.
- (4) Upon approval by the Authority, the applicant may commence the water use activity described in the application subject to the applicable conditions for Category A water users.

- (5) The Authority may at any time require any Category A water user to be re-classified after an assessment of the water resource or for any other reasonable cause.
- (6) In the event of a material change to any aspect of the water use, the water user shall notify the Authority within twenty-one days of the change and the Authority shall assess whether, in light of the change, a re-application or a variation of the conditions imposed on the water use is necessary.
- (7) A person who –
 - (a) fails to notify the Authority of a material change to the water use;
 - (b) uses water in breach of the conditions applicable to the water use;
 - (c) withholds relevant information from the Authority; or
 - (d) gives the Authority information which is misleading in any material particular,commits an offence and shall be liable on conviction to the penalty prescribed in section 147 of the Act, and liable to have their water use permit revoked.
- (8) A person aggrieved by the decision of the Authority may appeal to the Water Tribunal.

17. Category B, C and D water use applications

- (1) Any person who intends to use water classified under Category B, C or D in the First Schedule shall apply for a water use permit from the Authority in Form WRA 001 set out in the Tenth Schedule.
- (2) The application shall indicate the intended purpose of water use and shall be accompanied by a site assessment report, hydrological assessment report or hydrogeological survey report and environmental impact assessment study report which are in accordance with the specifications set out in the Third Schedule.
- (3) The applicant shall pay the application fees set out in the Second Schedule for each application before the application is processed by the Authority.
- (4) The Authority shall consider the application and—
 - (a) if satisfied, issue a permit in Form WRA 010 as set out in the Tenth Schedule; or
 - (b) reject the application and give reasons for such rejection to the applicant.

18. Maps to accompany applications

- (1) Every applicant shall submit to the Authority a map showing the water body, the location of the works, supply area, location of all authorisations or water use permits held by the applicant which are relevant to the application.
- (2) All significant points on the map shall be geo-referenced and indicate the Universal Transverse Mercator coordinates and zone with respect to the Arc 1960 datum.

19. Technical report

- (1) Without prejudice to the provisions of regulation 16, each application under Category C and D shall be accompanied by a technical report which shall be in accordance with the specifications set out in the Third Schedule provided that the Authority may, following a review of the application, require a category B applicant to submit a technical Report.
- (2) A site assessment report or a technical report shall be prepared by a licensed water sector professional.
- (3) In exceptional circumstances where it is demonstrated that an applicant is unable to use the services of a water sector professional in the preparation of a site assessment report or any

other technical report, the Authority may, at the request of the applicant, undertake the report preparation.

- (4) Where the applicant requires the services of the Authority in the preparation of the site assessment report or any other technical report, the applicant shall be required to make a written request to the Authority and pay the fees set out in the Second Schedule.
- (5) If satisfied that it is in the public interest and the applicant that the Authority undertakes the preparation of the Site Assessment Report or any other technical report, the Authority shall prepare the report, provided that any water sector professional officer of the Authority who prepares the report shall not be involved in the evaluation of the same report following its submission to the Authority.
- (6) In the circumstances where a water sector professional officer of the Authority undertakes duties of preparing a site assessment report or any other technical report, they shall be deemed to be a water sector professional for the purpose of preparing the site assessment report or any other technical report.

20. Stakeholder comments on applications

- (1) The applicant shall submit with each application, evidence of consultations with the relevant water resource users association and, where no registered water resource users association is operating in the area of the proposed water use, with the main local representative associations whose objectives are natural resource use or natural resource use conflict resolution.
- (2) Upon receipt of a category B, C and D application, the regional office of the Authority shall provide a copy of the application to the basin water resources committee and all the entities consulted by the applicant pursuant to subregulation (1) for comments.
- (3) The comments of the entities consulted pursuant to subregulation (1) shall be submitted to the Authority in Form WRA 003 as set out in the Tenth Schedule (and copied to the applicant) within thirty days of receipt of the application by the entities.
- (4) Where the water resource users association or local representative associations fail to or do not submit comments as requested within the period specified in subregulation (3), the Authority shall proceed to determine the application after the expiry of thirty days.

21. Public notification of Category C and D water use permits

- (1) Applicants for Category C and D water use permits shall cause to be published in a national newspaper of wide circulation, a public notification of the application for a water use permit.
- (2) The Authority shall publish a notification of all applications received, within a region, on—
 - (a) the Authority's website; and
 - (b) the county commissioner's, deputy county commissioner's, assistant county commissioner's, chief's, assistant chief's and Authority's regional and sub-regional offices at the end of each month.
- (3) For purposes of this regulation, public notification means a notice that indicates the name of the applicant, the water resource in respect to which the application has been made, the quantity of water applied for, purpose of water use for which the application has been made, the land registration number, the location or other local administrative unit within which the water use is to be undertaken and any additional details that the Authority may consider relevant to the public with respect to the application for a water use permit.

22. Objection to water use permit application

- (1) Any person may object in writing to any application for a water use permit and state the grounds for the objection.

- (2) The objection shall be lodged with the Authority within thirty calendar days of the public notification of the application for a water use permit.
- (3) The Authority shall consider all objections received within the period specified in subregulation (2) before making a determination, and shall in its decision state how it has addressed the objections.

23. Site meeting

- (1) If, based on the objections or representations received in response to a category C and D applications or other considerations, the Authority considers it necessary to hold a meeting with relevant stakeholders and the public it shall convene such meeting at or near the site of the proposed water use to hear views on objections, representations and other considerations before determining the application.
- (2) The Authority shall give not less than fourteen days' written notice of the intention to hold a site meeting on a stated day, time and venue to all the persons whose written objections were received on time and post the notice on the Authority's website, at the site of the proposed meeting and at the Authority's regional and sub-regional office.
- (3) The meeting in subregulation (1) shall be open to the public and, if appropriate, may be conducted using a virtual platform.

24. Rejection of application

- (1) Where the Authority rejects an application, it shall within thirty days of the decision notify the applicant and any person who made an objection to the application, of its decision in writing.
- (2) A person aggrieved by the decision of the Authority may appeal to the Water Tribunal within fourteen days of receiving the Authority's decision.

25. Authorisation to construct works

- (1) Where the Authority approves the application for a water use permit it shall issue an authorisation to construct works in Form WRA 004 as set out the Tenth Schedule.
- (2) The authorisation shall specify the period for completion of the works which may only be extended for good cause with the written permission of the Authority.
- (3) The Authority may cancel an authorization where an applicant fails to complete works within the specified period or to comply with any conditions in the authorisation.

26. Limitation on authorisation

An authorisation to construct works does not authorise an applicant to commence abstraction or the proposed use of the water before the conditions governing the authorisation are certified as having been met.

27. Extension of authorisation

- (1) Where the works are not completed within the period set out in the authorisation, the applicant may apply for an extension of time in Form WRA 005 as set out in the Tenth Schedule and attach a progress report and written reasons for failure to complete the works within the applicable period.
- (2) The Authority after considering the progress report and reasons for non-completion, may grant an extension in Form WRA 006 for six months or such longer period as may be necessary to complete the works provided that an extension shall not be granted for a period longer than the period initially stipulated for constructing the works.

- (3) Where, despite the extension, construction of the works is not completed within the extended period, the authorisation shall lapse and the applicant shall, within thirty days, submit to the Authority a plan for restoration of the site to, as near as is practicable, its original condition.

28. Register of authorisations and permits

- (1) The Authority shall maintain a Register of Authorisations and a Register of Permits.
- (2) Any person may obtain a copy of the Register of Authorisations or Register of Permits on payment of the fee set out in the Second Schedule.

29. Completion certificate

- (1) Upon completion of the works, the applicant shall submit to the Authority a Completion Certificate in Form WRA 008 as set out in Tenth Schedule.
- (2) As soon as is reasonably practicable after receipt of the Completion Certificate, and on payment by the applicant of inspection fees set out in the Second Schedule, the Authority shall inspect the works to ascertain that all the conditions in the authorisation have been complied with.
- (3) An inspector shall inspect the completed works and issue an inspection report as set out in Form WRA 007.
- (4) If the inspector is not satisfied with the completion status of the works, the inspector shall issue an order within fourteen days of the inspection and setting out the requirements for bringing the works to a satisfactory condition.
- (5) Where the inspector is satisfied that the works are complete, and that the conditions have been complied with, the Authority shall, within thirty days of receipt of a water use permit application, issue the permit in Form WRA 010 as set out in the Tenth Schedule.

30. Application for water use permit for surface and groundwater

The applicant shall within thirty days of the date of the completion of the works, apply to the Authority for a water use permit in relation to surface water and ground water.

31. Water use permit validity period

A water use permit shall be issued for a period of five years and may be renewed for a similar or shorter period following an application by the permit holder.

32. Water resource user identification number or security code

A water use permit shall bear a unique water resource user identification number or security code which shall whenever practicable identify the basin or sub-basin area in which the water use occurs.

33. Permit fees

- (1) The permit holder shall pay the relevant fees for a water use permit as prescribed in the Second Schedule.
- (2) Where the permit holder fails to pay the prescribed fees for the water use permit to the Authority, the Authority may revoke the water use permit, disconnect intakes, vary the conditions for the water use permit, or institute recovery proceedings through a civil suit or other enforcement action deemed appropriate by the Authority.
- (3) Where the permit holder, without due cause, delays in the payment of the water use fees to the Authority, interest at two percent per month shall accrue on a daily basis until the water use fees are fully paid.

34. Conditions of water use permit

- (1) The Authority may impose conditions on the water use permit after considering the characteristics of the water resource or body of water, the water use proposed, the technical report, the representations received from relevant entities.
- (2) Water use permits issued by the Authority shall be subject to such terms, restrictions and limitations as the Authority may consider appropriate and any of the following conditions—
 - (a) the water use permit shall not limit the exercise of existing water use rights of any other person or guarantee that the quantity of water referred to is or shall become available;
 - (b) the water used under a water use permit if it is to be returned to any water resource shall not be polluted with any matter to such an extent as to be capable of causing injury or damage whether directly or indirectly to any person, public health or to livestock, animals, fish, or crops, or to any undertaking in respect of which such water is used;
 - (c) the permit holder shall take all reasonable precautions to the satisfaction of the Authority to prevent the accumulation in any watercourse of silt, sand, gravel, stones, sawdust, refuse, sewerage, waste or any other substance which may be injurious to the water resource;
 - (d) for a water use permit issued by the Authority for mining, industrial purposes or hydropower the following conditions are implied—
 - (i) the water used shall be returned, if reasonably practicable, to the water resource from which it was taken or to such other water resource as the Authority may direct; and
 - (ii) the water used shall, in so far as the use to which it is to be put allows, be returned to the water resource substantially undiminished in quantity or quality.
- (3) The permit holder shall be responsible for the cost of fulfilling the conditions attached to the water use permit.
- (4) The Authority may suspend or revoke a water use permit where a permit holder fails to comply with the conditions attached to the water use permit.
- (5) A permit holder shall maintain a record of all water abstracted, diverted, stored or discharged, indicating the date, time, quality and quantity and methods of such abstraction, diversion, storage, or discharge and the purpose for which such water was used, and such record shall be submitted to the Authority on an annual basis or at such other interval as the Authority may specify.

35. Transfer of permit

A permit holder may apply to the Authority for the transfer of the permit to another person by submitting a duly completed Form WRA 013 as set out in the Tenth Schedule and the fees prescribed in the Second Schedule.

36. Variation of permit by permit holder

- (1) A permit holder may apply to the Authority for variation of the permit by submitting Form WRA 012 as set out in the Tenth Schedule and payment of the assessment fees prescribed in the Second Schedule.
- (2) Where the variation does not result in a change in the category of use of water or materially change the permitted use of water, the Authority may, after considering any representations by relevant stakeholders, grant the application.

- (3) Before granting an application for variation of the permit, the Authority shall —
 - (a) publish a notice of the application for a period of thirty days on its web-site and at the regional and relevant sub-regional office which shall contain a summary of the nature and effect of the proposed variation; and
 - (b) invite persons with comments on the application to provide such comments within the thirty-day specified in paragraph (a).
- (4) If the variation is such that it results in a change in the category of water use, the permit holder shall be required to apply for a new permit.
- (5) The permit as varied shall be made available in the register of permits maintained by the Authority.
- (6) Any person who contravenes the provisions of this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

37. Variation or cancellation of permit by the Authority

- (1) The Authority may at its instance vary, suspend or cancel a permit after issuing the permit holder with a thirty days' notice to show cause why the permit should not be varied, suspended or cancelled, and considering any representations made by the permit holder following receipt of the notice.
- (2) The Authority may take any appropriate measures for enforcement including the confiscation of equipment or plant, or removal of works to effect subregulation (1) and any costs incurred by the Authority in effecting these measures shall be recovered from the permit holder.
- (3) The Authority shall post on its website and at the regional and sub-regional office, particulars of any variation, suspension or cancellation of permits within thirty days of the variation, suspension or cancellation.

38. Renewal of permit

- (1) Three months before the expiry of a permit, a permit holder shall apply for the renewal of the permit by submitting a duly completed Form WRA 011 as set out in the Tenth Schedule and pay the renewal fees and works inspection fees prescribed in the Second Schedule and any water use charge arrears.
- (2) A late submission of the application for the renewal of a permit shall attract a penalty of two thousand shillings for each month of delay.
- (3) The Authority shall inspect the works before processing the application for renewal.
- (4) The Authority may require the permit holder to submit the technical reports set out in regulation 19 indicating the condition of the water resources at the time of the application for renewal before processing of an application for renewal or impose new conditions or alter existing permit conditions as necessary in response to causes as stated in section 46 (1) of the Act.
- (5) A permit shall automatically lapse upon its expiry where the permit holder fails to apply for the renewal and the Authority shall initiate its cancellation in accordance with section 49 of the Act.

39. Register of approved water users, water uses and permits

- (1) The Authority shall maintain a register of approved water users, water uses and permits as required under section 54 of the Act and post an electronic copy of the register on its website.
- (2) A person may obtain a copy of the register referred to in subregulation (2) from the Authority upon submission of Form WRA 014 set out in the Tenth Schedule and payment of the fee set out in the Second Schedule.

40. Permit or authorisation not a defence

The issue by the Authority of an authorisation or permit shall not be a defence to any civil action or to a criminal prosecution under any written law.

41. Public notification of authorisations and permits

- (1) The Authority shall cause to be displayed on the notice board at its offices and at the offices of the chief, a list of the authorisations, permits and cancellations, issued within their respective jurisdiction.
- (2) The list shall include a summary of the information pertaining to the water use activity.
- (3) Any person who wishes to obtain the details of a particular permit shall apply to the Authority in Form WRA 014 as set out in the Tenth Schedule and pay the applicable fee specified in the Second Schedule.

42. Compliance with other laws

The right of a permit holder shall, notwithstanding anything contained in their authorisation or permit, be subject to and conditional to their compliance with the provisions of the Act and any other applicable laws.

Part IV – SURFACE WATER**43. Surface water allocation**

- (1) The Q80 flow value is the flow value that is equalled or exceeded eighty percent of the time.
- (2) The Q80 flow value shall be derived from a naturalised flow duration curve, preferably derived from daily flows.

44. Declaration of a water course

- (1) The Authority may, with reasonable cause, after public consultation, declare a natural watercourse not to be a watercourse or a constructed channel to be a watercourse for the purposes of water resources management and regulation.
- (2) When a body of water has changed into a new course the Authority shall recognise the new course to be a watercourse and shall require the original course to be retained as a flood channel.

45. Boundary of properties defined by a water course

Where, owing to any natural events or authorised or unauthorised works being constructed on a water body, a body of water which constitutes the boundary of two or more properties ceases to flow between or to separate such properties or has changed into a new course, the boundaries of such properties shall, unless readjusted by mutual agreement between the parties concerned, remain as before.

46. Wetlands

- (1) Any portion of land in excess of one hectare which is naturally subject to seasonal or permanent flooding and has the ecological characteristics of a swamp or marsh shall be deemed to be a wetland under these Regulations.
- (2) The Authority may by public notification and with good cause, declare any portion of land which is less than one hectare as a wetland for purposes of water resources management and regulation.

- (3) The landholder or legally authorised representative of the landholder on which a wetland is situated shall apply to the Authority for approval for any proposed or ongoing activities including drainage, discharge into the wetland or construction that would affect the wetland.
- (4) Whenever any proposal for the drainage and reclamation of a swamp involves the subsequent use by the applicant of all or any of the water conserved by the drainage or reclamation of such swamp, the applicant shall apply for a water use permit to the Authority for the diversion, abstraction, storage or use of such water.
- (5) The application in subregulation (4) shall be accompanied by a hydrological assessment report, hydrogeological survey report, environment impact assessment report and environmental impact assessment licence.
- (6) Works involving the drainage of a swamp shall not deprive any water user of reasonable access to water except by agreement or on payment of compensation, or on supplying water from other sources or by other means, and the applicant concerned shall submit to the Authority all plans and documents showing the proposals to provide such water user with access to water, and any agreements to this effect, and he shall, if the proposals include any works for supplying such water user with water, submit an application for a water use permit.

47. Land reclamation

- (1) The Authority may in accordance with this regulation, authorise the reclamation of land over and upon the sea-bed, lake or river irrespective of the ownership of land bordering on any land borders of such sea-bed, lake or river for infrastructure development.
- (2) The Authority shall publish a notice of the proposed land reclamation—
 - (a) on the Authority's website# and
 - (b) in two national newspapers with wide circulation in Kenya.
- (3) A notification under subregulation (2) shall—
 - (a) describe the proposed land reclamation and give the approximate area to be occupied in connection therewith; and
 - (b) call upon all persons having objections to the reclamation or any claims of private right in respect thereof to submit to the Authority before the expiration of thirty days, such objections or claims in writing specifying the nature thereof and giving an estimate of any loss which, it is alleged would be incurred by reason of the extinguishment of any private right.
- (4) Whenever any claim or objection is submitted pursuant to subregulation 3(b) and the Authority considers it necessary, the Authority may establish a panel to hold a public inquiry on such matter.
- (5) Such panel shall keep a record of any evidence taken at the public inquiry and shall transmit the same together with a report of its findings to the Authority.
- (6) The Authority may, after considering the proposed land reclamation together with all objections and claims submitted and, where a public inquiry has been held, the evidence taken by, and the report of the Panel holding the inquiry, authorise such land reclamation with or without modifications or refuse to authorise the land reclamation.
- (7) A notification of an authorisation together with a description of the proposed reclamation shall be published in the manner set out in subregulation (2).
- (8) Upon the publication of the authorisation of a proposed reclamation, all public and private rights of navigation or fishing and rights ancillary thereto, all public and private rights of access or user, and all other public or private rights (if any) in, upon or over the sea-bed, lake or river occupied by the proposed reclamation or by the infrastructure development shall be extinguished and cease to exist.

48. Requirement to obtain permit after land reclamation

- (1) Any person who intends to or is currently undertaking a water use activity in relation to a water resource on reclaimed land shall apply to the Authority for a water use permit in Form WRA 001 as set out in the Tenth Schedule.
- (2) Where the proposed water use is in relation to a lake or river, the application shall be accompanied by a letter of no objection of the basin water resources committee, the water resources users associations or local representative associations.
- (3) A permit holder shall comply with these Regulations in relation to any activities on reclaimed land.

49. Allocation of water for irrigation

- (1) In allocating water for irrigation, the Authority shall—
 - (a) give priority to irrigation for subsistence purposes;
 - (b) be guided by crop water requirements in the area and the efficiency of water use;
 - (c) limit the permit holder to abstract, impound or divert only flood flow for purposes of irrigation; and
 - (d) require the applicant, to the extent practicable, to make provision for not less ninety days storage of flood flow for use during the dry season unless the abstraction of water is to be from a water resource.
- (2) In considering aggregate water demand for subsistence irrigation, the Authority may declare by public notification for each basin area or part thereof an upper limit for the allocation of water either in aggregate or for any one water use permit where the allocation is shared among more than one household.

50. Hydro power

- (1) Every water use permit to develop an amount of power less than the full hydro power potential of the site may be subject to special conditions if the Authority considers that the development of the full power of the site may be required at a later date.
- (2) If an existing permit holder is unable, or unwilling, to enlarge the works to develop the full hydropower potential of the site, and it is considered by the Authority, following consultation with the regulatory agency responsible for matters relating to electricity generation, to be in the public interest to do so, the Authority may cancel the authorisation or water use permit and authorise the works to be carried out by another person provided that the incoming operator shall pay compensation to the person whose water use permit has been cancelled.
- (3) For the purpose of ascertaining the hydropower potential under any authorisation or water use permit, the Authority shall have access to reports, plans and records of the permit holder and may request for any other information or data it may require.
- (4) A water use permit issued for hydropower purpose, shall at all times be subject to any law affecting the construction and operation of works for the supply of power.

51. Works associated with fish movement for protection and control of fish

- (1) Where, in the opinion of the Authority, after consultation with the department responsible for fisheries, it is necessary for the free movement of fish upstream or downstream of any dam or weir on any body of water, the Authority may require an applicant for a water use permit or order a permit holder to provide at their cost in such dam or weir, a fish pass, fish ladder or other structure, approved by the Authority, to enable fish to move freely up or down such a body of water.

- (2) Notwithstanding anything contained in these Regulations, the Authority may, on the application of any person, authorise the construction or erection in a body of water of—
 - (a) works of a temporary nature which are designed solely for the purpose of improving the conditions of fish life or the facilities for fishing, in such body of water provided such works shall not have the effect of raising the normal level of the body of water more than one metre# and
 - (b) fish ladders or other means of ingress and egress for fish provided such works do not cause any obstruction in the flow of such body of water.
- (3) An application under this regulation shall be in Form WRA 001 set out in the Tenth Schedule and shall be submitted to the Authority together with comments of the department responsible for fisheries.

Part V – GROUNDWATER

52. Groundwater development authorisation

- (1) A person intending to abstract ground water shall apply for authorisation from the Authority using Form WRA 001 as set out in the Tenth Schedule.
- (2) Upon receipt of the application, the Authority shall pursuant to regulation 8 determine the category of the application.
- (3) Where the Authority determines that the application falls under Category A for wells, and the method of abstraction does not include motorised pumping, the Authority shall, after considering the application in accordance with the procedure in regulation 8, grant authorisation upon such conditions as it may deem necessary or refuse the application.
- (4) Where any borehole or well is intended to be equipped with a motorised pump, the application shall be accompanied by a hydrogeological survey report which is in accordance with the specifications set out in the Third Schedule.
- (5) An application for a groundwater use permit which falls into categories B, C, or D as specified in the First Schedule shall be determined in accordance with the procedure specified in regulation 8 for the approval of such applications.
- (6) Before any well or borehole is replaced, deepened or widened, the owner of the well or borehole, or his duly authorised representative, shall submit to the Authority, an application for authorisation in Form WRA 004 as set out in the Tenth Schedule, to carry out such replacement, deepening or widening of an existing well or borehole, for any water use category.
- (7) The owner of a well or borehole which encounters, in the course of drilling, collapse, loss of tools, or other associated drilling problems, hereinafter referred to as “down hole problems,” excluding a dry borehole, shall drill a replacement borehole on a site not be more than fifteen metres from the previously approved site.
- (8) Before any well or borehole, after encountering down hole problems, is moved to a new site that is more than fifteen metres from the previously approved site, the owner of the borehole or well, or their authorised representative, shall file with the Authority an application for authorisation to move to the new site in accordance with the procedure in regulation 8.
- (9) Any person who contravenes the provisions of this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

53. Regulation of groundwater development

- (1) Where any borehole or well is being constructed within five hundred metres of an existing borehole or well, the Authority may notify the person constructing the borehole or well to conduct any tests,

specified in the notification, to the existing well and to submit to the Authority the particulars of the results of such tests including the rate of pumping and rest levels of water.

- (2) Without prejudice to subregulation (1), for purposes of the regulation of groundwater development, the Authority shall determine in the allocation plan for a specific aquifer or part thereof, the spacing of boreholes or well to be equipped with motorized pump and in doing so shall be guided by —
 - (a) existing borehole or well spacing#
 - (b) individual aquifer characteristics, including water quality;
 - (c) existing aquifer use# and
 - (d) existing bodies of surface water.
- (3) The allocation plan shall be available and accessible to the public on the Authority’s website and, during normal working hours, from any of the offices of the Authority.

54. Borehole and well test pumping

- (1) Boreholes and wells, to be equipped with a motorised pump, shall be subjected to test pumping.
- (2) Test pumping shall comprise a continuous and constant rate pumping test of not less than twenty-four hours duration and recovery duration of not less than twenty hours.

55. Supervision of works

A water sector professional shall supervise the construction of a borehole or well, that is to be equipped with a motorised pump.

56. Borehole or well completion record

- (1) On the completion of construction of a borehole or well, to be equipped with a motorised pump, the applicant shall submit to the Authority a Borehole or Well Completion Record in Form 008A or 008B set out in the Tenth Schedule, and the Completion Certificate, within twenty-eight days of completion of works.
- (2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

57. Issue of groundwater use permit or authorisation

- (1) The Authority shall pursuant to regulation 8 authorise the abstraction of groundwater for a well under Category A.
- (2) In the event that the Authority determines that on site verification is necessary, the Authority shall undertake the verification within twenty-eight days upon payment by the applicant of the site verification fees set out in the Second Schedule.
- (3) Before granting an authorisation to abstract groundwater from a borehole in Category A as specified in the First Schedule, the Authority shall analyse the data provided in the Borehole Completion Record Form WRA 008A set out in the Tenth Schedule.
- (4) Before granting an authorise to abstract groundwater from boreholes or wells intended to be equipped with motorised pumps in Categories B, C, or D as specified in the First Schedule, the Authority shall analyse the data provided in the Borehole Completion Record Form WRA 008A set out in the Tenth Schedule.

58. Groundwater conservation

- (1) Every borehole owner shall ensure that a wellhead protection area within a radius of ten meters is reserved where any activity including land use activities, are likely to negatively impact groundwater resources.
- (2) Where in its assessment the Authority is of the view that a proposed borehole is within a radius of ten meters of any activity likely to negatively impact the quality of groundwater resources, it shall not issue an authorisation or groundwater use permit for the drilling of the borehole or well.
- (3) Within twelve months of the coming into effect of these Regulations, all borehole water abstractors shall ensure that—
 - (a) boreholes are fitted with dipper tubes#
 - (b) water is not abstracted without passing it through a meter; and
 - (c) the water meter is periodically inspected to ensure that it is not defective.

59. Artificial ground water recharge

- (1) No person shall undertake to construct works for the purposes of conducting the artificial groundwater recharge of an aquifer, whether or not in a groundwater conservation area, unless duly authorised by the Authority.
- (2) An application for authorisation under subregulation (1) shall be accompanied by—
 - (a) a technical report and a hydrogeological assessment report which are in accordance with the specifications set out in the Third Schedule, defining the aquifer parameters and the water quality evolution after recharge, the impacts on the recharged water, the contents of the injection and the proposed geotechnical mechanisms with analysis on its positive and negative impacts on groundwater resources; and
 - (b) any other particulars that may be required by the Authority.
- (3) The Authority may after considering the application—
 - (a) issue the authorisation and impose such conditions as it may deem necessary# or
 - (b) reject the application.
- (4) A person who contravenes the provisions of this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

60. Groundwater data

The Authority may, from time to time and in carrying out its responsibilities in respect to groundwater resources protection and regulation, require any person, entity, permit holder or operator to—

- (a) provide it with abstraction, water levels, water quality or any other specified information within a reasonable time or on a regular basis as it may deem necessary; and
- (b) undertake any protective measures it may recommend.

Part VI – WATER QUALITY MONITORING AND EFFLUENT DISPOSAL

61. Control of water pollution

- (1) No person shall discharge or apply any poisonous, toxic, noxious or obstructing matter, radioactive waste, radioactive waste or other pollutants or permit any person to dump or discharge such matter into a water resource unless the discharge of such poisonous, toxic, noxious or obstructing matter,

radioactive waste or pollutant is authorised by the Authority and treated to permissible standards as set out in the Fourth Schedule.

- (2) A person intending to discharge waste, effluent or other pollutant into a water resource shall apply to the Authority for an effluent discharge permit in Form WRA 001G as set out in the Tenth Schedule.
- (3) The category of effluent discharge permit shall be determined on the basis of the effluent discharge load, the concentration of pollutants, the capacity of the receiving water body and the applicable resource quality objectives.
- (4) Any person who discharges waste, effluents or other pollutants into a water resource at the commencement of these Regulations without an effluent discharge permit issued by the Authority shall apply for an effluent discharge permit within six months of the commencement of these Regulations.
- (5) A permit holder shall discharge effluent in accordance with the conditions in the effluent discharge permit and shall be limited to the quantity and quality of pollutants stipulated in that permit.
- (6) An effluent discharge permit shall be subject to the payment of the prescribed water user charges specified in the Second Schedule.
- (7) Any person who contravenes the provisions of this regulation commits an offence and is liable on conviction to the penalties prescribed in section 147 of the Act.

62. Spillage

- (1) No person shall wilfully or deliberately allow any substance to spill out into any water resource or onto land where such spillage is likely to contaminate a body of surface or groundwater.
- (2) In the event of accidental spillage, where such spillage is likely to contaminate a body of surface or groundwater, the person in charge of the spilt substance shall within twenty-four hours—
 - (a) inform the Authority of the accident;
 - (b) immediately take measures to prevent the spread of the spillage# and
 - (c) take remedial measures as may be required by the Authority to mitigate against potential adverse effects to the water resources.
- (3) The Authority shall upon receiving information of a spillage, notify the public of the spillage and cause appropriate action to be taken to address likely adverse effects of the spillage on water resources.
- (4) The costs incurred by the Authority in regard to notifying the public and addressing the spillage shall be recoverable from the person in charge of the spilt substance.
- (5) Any person who contravenes the provisions of this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.
- (6) The Authority shall undertake periodic assessments of water resources for purposes of pollution prevention and control and notify the public as necessary.
- (7) The Authority may request for information regarding any infrastructure that is likely to cause spillage to a water resource.

63. Water quality monitoring

- (1) The Authority may without giving prior notice, inspect any premises and sample any sources of water pollution for the purposes of monitoring water quality.

- (2) A person who obstructs, constrains or prevents a water resource inspector who has identified themselves, from undertaking a pollution control inspection commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

64. Water quality, liquid effluent disposal and effluent discharge data

- (1) The Authority shall maintain a water quality database that shall include data on effluent discharge which shall be available on website of Authority.
- (2) A person may obtain a copy of any data under this regulation upon the payment of the fees prescribed in the Second Schedule.

65. Water quality sample procedure

- (1) In the event that a water resource inspector intends to take a water quality sample for purposes of prosecution, the procedure specified in the Ninth Schedule shall apply.
- (2) The Authority may, notwithstanding the procedures prescribed in the Ninth Schedule install automatic water quality monitoring and sampling equipment at any premises or water resource.

66. Pollution control enforcement

The Authority may, with good cause, order any person or entity being the landholder, occupier or having charge over a piece of land, to put in place adequate measures for the safe disposal of solid or other wastes including agricultural chemicals present on the land which may present a risk to the water resource quality.

Part VII – WORKS

67. Inspection of works prior to, during and post-construction

The Authority may undertake an inspection or series of inspections of the site associated with a proposed, ongoing, existing or abandoned water works.

68. Temporary works

- (1) A person who intends, for the purposes of construction, to divert, abstract, impound, obstruct, store or use water temporarily shall apply to the Authority for a permit for temporary works.
- (2) A permit for temporary works shall authorise the diversion, abstraction, impoundment, obstruction, storage or use of water temporarily to such extent only as may be necessary for such construction, and at such times and in such manner as to interfere as little as possible with the works of other operators and cause as little damage as possible to property.
- (3) The holder of a permit for temporary works shall be liable for any interference or damage resulting from the temporary works.
- (4) All temporary works shall be removed by the permit holder within a period of three months, or such other period as the Authority may specify, from the date of completion of the works or from the date of expiry of the authorisation whichever is earlier:

Provided that any quarries, borrow-pits, excavations, cuttings, tunnels or other temporary works which cannot be economically rehabilitated or removed shall be rendered safe by fencing or such other measure as the Authority may consider necessary.

- (5) In the event that any temporary works are not removed, rehabilitated or rendered safe within the period referred to in subregulation (4), the Authority shall issue an order for the removal, rehabilitation or safety of the works.

- (6) A person who fails to comply with an order issued by the Authority under this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

69. Abandoned works

- (1) Abandonment or cancellation of an authorisation or permit for temporary works or any part thereof shall not relieve the landholder or undertaking to which the authorisation or permit is or was appurtenant of liability for any damage resulting from the works constructed, operated or maintained by the permit holder, or from any defect or insufficiency in the works.
- (2) The Authority may, within six months of the cancellation or expiry of an authorisation or permit for temporary works, serve upon the permit holder or former permit holder, an order for the disposal of all or any portion of the works previously used under the authorisation or permit for temporary works.
- (3) A person who fails to comply with an order issued by the Authority under this regulation commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

Part VIII – CONDITIONS ON AUTHORISATIONS, PERMITS AND APPROVED WATER USES

70. Compliance with the Environmental Management and Coordination Act

The Authority shall where applicable, require an applicant as a condition to the grant of a permit to provide evidence of compliance with the provisions of the Environmental Management and Coordination Act (Cap. 387) on integrated environmental assessments, and any other requirements as the Authority may deem necessary.

71. Inspection

- (1) The Authority may provide for a schedule of inspection in any authorisation or permit issued under the Act or these Regulations.
- (2) Any person who undertakes any activity that damages or hinders the proper functioning of the water resources monitoring system or network shall be required to cover the cost of repairs within a period of time determined by the Authority.
- (3) Any person who undertakes any activity that damages or hinders the proper functioning of water resource monitoring system or network and who fails to make good the damage or cover the costs of repair, commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

72. Controlling devices and measuring meters

- (1) Within two years of the coming into effect of these Regulations, every category B, C or D water user, whether for water abstraction or effluent discharge, shall install an automated measuring meter or smart meter for the accurate measurement of water abstracted, obstructed or diverted and the effluent discharged.
- (2) A category B, C or D water user shall inspect, or cause to be inspected, at such time intervals as may be necessary, any automated measuring meter or smart meter prescribed in the permit in order to ensure that the quantity of water abstracted, diverted or stored, or effluent discharged is accurately measured.
- (3) Every permit holder shall provide a lock or locking mechanism for the adjustable device or controlling device, including any sluice gate, valve or other works, where such device or work is used to control the quantity of water diverted, abstracted or stored, or effluent discharged to prevent any unauthorised person from interfering with it.

- (4) The permit holder shall avail the keys for the locking device or works to an officer of the Authority when requested provided that the locking device may be designed in such way that two people shall be required to operate it during the opening and locking.
- (5) The automated meter or where applicable, a controlling device, shall be located at the point where the water is abstracted, diverted or the liquid waste discharged or at a point approved by the Authority.
- (6) If a permit holder fails or neglects to comply with any order given under this regulation, the Authority may take such measures as it may consider necessary to execute the order, and any expenses incurred in taking such measures shall be recoverable as a civil debt from the water user or person upon whom such order is made.
- (7) The Authority shall seal the automated measuring meter or smart meter installed under these Regulations.
- (8) Where any seal affixed under this regulation is broken without the approval of the Authority, the water user upon whose premises the seal was placed commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act:

Provided that, where it can be proved that the offence was committed by some person other than the water user, that person shall be punishable as if he were the water user upon whose premises the breach occurred.

73. Application programming interface for automated meters

The Authority shall from time to time publish, to manufactures and the general public, an acceptable Application Programming Interface (API) compatible with its existing system to guide acquisition of automated meters by members of the public for purposes of compliance with these Regulations:

Provided that the Authority may in compliance with the relevant procurement laws, undertake accreditation of manufacturers of smart meters.

74. Penalty for failure to use automated measuring device

Where the assessment of the water used is not based on continuous measurement by means of an automated and appropriately sealed flow measuring meter, the water user shall pay a penalty of 10% on the full amount of water used.

75. Limitation of flow or quantity

- (1) Notwithstanding the quantity of water granted by the permit, a permit holder shall not abstract or divert more water from a body or bodies of water than can, for the time being, be beneficially used by the permit holder in accordance with the terms of their permit.
- (2) Having due regard to the priority of the purpose for which the water is granted, a permit holder shall, on direction by the Authority—
 - (a) abstract, impound, or divert the quantity of water which may be necessary for their purpose at such times and in accordance with a schedule of abstraction that includes all other permit holders using the same body of water, or other body of water, as may, in the opinion of the Authority, secure the most equitable use of water; and
 - (b) discharge the quantity of water in accordance with a schedule of releases that includes all other permit holders using the same body of water, or other body of water, as may, in the opinion of the Authority, secure the most equitable use of water.

76. Collection and submission of abstraction, water quality and effluent discharge data

- (1) Each Category B, C or D permit holder is required to maintain a record of the daily abstraction or effluent discharge, in cubic metres per day, made by the permit holder.
- (2) The record shall state the permit number, date and volume of abstraction or discharge.
- (3) The records for abstraction or discharge for the preceding twenty-four months shall be available for inspection by the Authority.
- (4) The Authority may require an applicant for water use or an applicant for the renewal of a permit to take water quality samples and cause the samples to be analysed at the permit holder's cost in a water quality laboratory approved by the Authority.
- (5) Where the water analysis results indicate that the water is not fit for human consumption the issue of the permit shall be conditional on the requirement that appropriate treatment is undertaken and evidence provided to the Authority before the water may be used for human consumption.

77. Airline

- (1) Every permit holder, shall install an airline in their borehole, to enable the measurement of water levels by the Authority or any authorised person.
- (2) A permit holder who fails comply with this regulation commits an offence and shall, on conviction, be liable to the penalty specified in section 147 of the Act.

78. Inspector

- (1) The Authority may, in writing, authorise the following to exercise the powers of an inspector under these Regulations—
 - (a) any person appointed to a post that is equal to or senior to a water resources officer or water rights officer in the Authority; and
 - (b) a person other than an officer of the Authority, appointed by the Authority, as inspector, which person may receive such payment in respect of their services as the Authority may determine.
- (2) Every person appointed to perform the duties and have the powers of an inspector shall carry a document of identification and shall produce it when required in the performance of their duties.

79. Water resources data

- (1) The Authority shall establish systems for data collection, analysis and management including data collection centres, rain gauging stations, laboratories.
- (2) The Authority shall, on the basis of data gathered by or submitted to it, maintain a database for purposes of water resources regulation.
- (3) The database shall contain data on climate, surface water, groundwater, water quality, catchment conditions, abstractions, permits, water use and any other data relevant to the management of the water resources.
- (4) Any person who requires water resources data from the Authority shall apply for the data in writing and pay the applicable fees set out in the Second Schedule, except where the Authority is satisfied that the data is to be used for research or non-commercial purposes.
- (5) In responding to a request for data the Authority shall be guided by Article 35 of the Constitution.
- (6) A person who sells or transfers any data that is obtained from the Authority commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

- (7) The Authority shall not be liable for any errors or omissions in its data.

80. Register of water bodies

- (1) The Authority shall maintain a register and map of all water bodies which shall include the official name and class, if any of each water body.
- (2) The official name shall be determined by the Authority after consultation with other government departments and other stakeholders.

Part IX – WATER USE CHARGES

81. Water use charges

- (1) A person in possession of a water use permit, shall pay to the Authority water use charges for any water abstracted, diverted, abstracted or used, including energy derived from a water resource, at the appropriate rate as set out in the Second Schedule and assessed in accordance with Form WRA 015 set out in the Tenth Schedule.
- (2) Pursuant to section 130 of the Act, water use charges payable to the Authority under subregulation (1) shall be used by the Authority to meet the costs of undertaking its regulatory functions and administrative activities as set out in section 12 of the Act.
- (3) A person in possession of a valid water use permit or who is required to have a valid permit for water use shall pay in addition to the water use charge, a levy amounting to ten percent of the monthly water use charge as a water conservation levy.
- (4) The monies collected by the Authority as water conservation levy shall be segregated from the water use charges and reported on separately and, on the basis of agreements entered into between the Authority and county government entities and water resource users' associations, used to finance part of the costs of the implementation by water resources associations and county government entities of catchment or sub-catchment soil and water conservation plans.
- (5) The payment of water use charges and conservation levies shall be made to the Authority by the 15th day of every month for water used in the preceding calendar month.
- (6) With the approval of the Authority, payment of the water use charge and conservation levies may be remitted to the Authority in instalments exceeding monthly instalments.

82. Annual adjustment of water use charges

The Authority shall, where necessary, adjust the water use charges annually in order to give effect to indexation by reference to the officially published annual inflation index.

83. Review of water use charges

The Authority may at any time and pursuant to section 12(f) and 42(2) of the Act, determine and review water use charges on the basis—

- (a) of a significant increase in the cost of regulating the water resources;
- (b) that water use charges facilitate water resources demand management;
- (c) inflation rate# and
- (d) the use of water as a social and economic good.

84. Automated measuring device

- (1) A permit holder shall install an automated measuring device for the assessment of the quantity of water used with respect to each permit.
- (2) The permit holder shall transmit readings from the automated meter to the Authority.
- (3) In the event that the permit holder does not submit readings of the quantity of water used, the Authority shall take readings of the quantity of water used provided that if the Authority reasonably believes that the meter readings are inaccurate, the Authority shall make a fair estimate of the quantity of water used.
- (4) In making the assessment, the Authority shall be guided by the allocation in the permit and by observations and evidence of water use activities.
- (5) In the event that the assessed quantity of water used, as determined by the Authority, is 25% more or less than the permitted allocation, considering seasonal variations, the Authority may re-evaluate and vary the permitted allocation.
- (6) If the permit holder and the Authority cannot agree on the assessment of the quantity of water used, then the opinion of the Authority shall prevail and the permit holder shall pay the amount assessed by the Authority provided that the permit holder if dissatisfied with the Authority's assessment, may lodge a complaint in accordance with regulation 140.
- (7) Without prejudice to subregulation (6), the Authority may use various criteria to assess water use charges including reference to crop production, resources extracted and such other criteria as may, in the assessment of the Authority give an indicative amount of the water used.

85. Claim on arrears

- (1) Where the Authority discovers that a permit holder has not paid water use charges, the Authority shall charge the permit holder for any arrears due as provided under these Regulations.
- (2) Where the Authority discovers that a permit holder has tampered with or caused their meter to be tampered and under-declared water use after the entry into force of these Regulations, the Authority shall charge for the under declared water use in arrears.

86. Penalty for over-abstraction

Where a permit holder abstracts water in excess of the permitted amounts by over 5%, the Authority shall impose a penalty on the excess water abstracted at the rate of ten shillings per cubic metre.

87. Groundwater conservation charge

The Authority may impose an additional 10% to the water use charges payable for any water use within a groundwater conservation area or protected area *gazetted* under the Act to cover for the cost of enhanced regulation required in such areas.

88. Rebate of payment payable

- (1) A permit holder who has installed and uses water from flood water storage facilities that can cater for double the water use required under a permit, may be granted a rebate of 10% of the water use fees payable under these Regulations on the use of water from a regulated watercourse.
- (2) The rebate under subregulation (1) shall be applicable upon—
 - (a) certification by the Authority; and
 - (b) compliance with permit conditions by the permit holder.

89. Interest for late payment

The Authority shall impose a simple interest charge of two percent per month until the whole amount is paid in full for late payment of water use charges.

90. Failure to pay water use charges

- (1) Failure to pay the appropriate water use charges is a breach of the conditions of a permit and may be a basis for the revocation or suspension of the permit.
- (2) The Authority may within fourteen days, following notice given to the permit holder, disconnect works, suspend or cancel the permit, if the permit holder fails to pay in full the water use charges for any one payment period for a period of one hundred and twenty days after the due date.
- (3) Any permit holder whose works have been disconnected or whose permit has been suspended or cancelled due to non-payment of water use charges may not apply for a lifting of the suspension or a new permit or amendment until the outstanding amount and any associated cost is paid in full.
- (4) Any application for a new permit or amendment of an existing permit shall not be considered if the permit holder is in arrears regarding any payments.
- (5) Where, due to non-payment of water use charges, the Authority disconnects or dismantles an intake or abstraction equipment or facilities, reconnecting the abstraction facilities without permission from the Authority shall constitute an offence punishable under the Act.

Part X – CONSERVATION OF RIPARIAN AND CATCHMENT AREAS**91. Determination of the riparian reserve**

- (1) Riparian reserve shall not imply a change of ownership, but imposes management controls on land use for water resource quality as set out in these Regulations and in accordance with Article 66(1) of the Constitution and the Act.
- (2) Unless otherwise determined by an inspector, the riparian reserve on each side of a watercourse is defined as a minimum of ten metres or equal to the full width of the watercourse up to a maximum of thirty metres on either side of the bank.
- (3) The width of the watercourse shall be equal to the distance between the top edges of its banks.
- (4) The riparian reserve shall be measured from the top edge of the bank of the watercourse and this shall apply to seasonal and perennial watercourses.
- (5) The management obligations of a riparian reserve shall vest on the landholder provided that the Authority shall supervise the use to ensure any utilization of resources is in accordance with the Act and these Regulations.
- (6) Unless otherwise determined by an inspector, the riparian reserve adjacent to a lake, reservoir or stagnant body of water is defined as a minimum of two metres vertical height or thirty metres horizontal distance, whichever is less, from the highest recorded water level.
- (7) Unless otherwise determined by an inspector, the riparian reserve adjacent to the eye of a spring shall be a minimum radius of three metres to a maximum radius of fifteen metres, as measured from around the edge of the spring.
- (8) Unless otherwise determined by an inspector, the riparian reserve adjacent to the ocean is defined as a minimum of two metres vertical height or thirty metres horizontal distance from the high-water mark, whichever is less.

92. Demarcation of riparian reserve

A landholder or occupier of a riparian reserve may—

- (a) demarcate the riparian boundary of any watercourse or body on such land; and
- (b) in demarcating such land, place visible and permanent beacons at their own cost at sufficient intervals to represent the boundary.

93. Proscribed activities on riparian reserve

- (1) No person shall undertake the activities listed in Part 1 of the Fifth Schedule on riparian reserve, unless authorised by the Authority in consultation with other relevant stakeholders.
- (2) A water user may, showing good cause, request the Authority in writing to undertake a proscribed activity.
- (3) The Authority shall acknowledge the request in subregulation (2) within seven days and respond in writing within thirty days or such longer period as the circumstances may justify stating its decision.
- (4) The Authority shall, in considering whether to approve or reject the application in subregulation (2), require the applicant to present an environmental impact assessment licence where such activities fall within the meaning of the Second Schedule to the Environmental Management and Coordination Act (Cap. 387).
- (5) Where the application in subregulation (2) includes activities that require development permission from a county government, the applicant shall seek approval of the Authority before applying for development permission from a county government under the Physical and Land Use Planning Act (Cap. 303) or other applicable law.
- (6) A person who undertakes any of the proscribed activities on riparian reserve without approval by the Authority commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

94. Orders related to riparian reserve

- (1) The Authority may order or require a riparian landholder or water user, at their cost, to develop and implement a soil and water conservation plan.
- (2) If the riparian landholder or water user fails to comply with an order to develop a soil and water conservation plan, the Authority may cause such a plan to be developed.
- (3) In requiring a riparian landholder or water user to improve the condition of the riparian reserve, the Authority may at its discretion, facilitate support to undertake the improvement.
- (4) The Authority may by order, require a riparian landholder or water user, to desist from any proscribed activity or to improve the condition of the riparian reserve in the interests of meeting the water resource quality objectives.
- (5) The Authority may recover the cost of developing the plan referred to in sub-regulation (4) from any person who has failed to comply with the order.

95. Soil and water conservation policies

- (1) The Authority shall put in place measures to ensure that soil and water conservation policies of the national government are implemented by the county governments.

- (2) Without prejudice to the generality of subregulation (1) the Authority shall ensure that the county governments—
 - (a) periodically review county policies, strategies and plans for the implementation of national policies on soil and water conservation;
 - (b) implement and give effect to national policies on soil and water conservation;
 - (c) coordinate and oversee the implementation of soil and water conservation policies within the county;
 - (d) mobilise financial and other resources for the implementation of soil and water conservation policies;
 - (e) put in place measures to secure the effective implementation of soil and water conservation policies within the county; and
 - (f) report to the Authority on the state of soil and water conservation in the county.

96. Soil and water conservation plan

- (1) For the purposes of conserving the catchments and riparian areas, the Authority may order, or impose a condition on an authorisation or a permit, to require a landholder, land user, county governments or water resource users association to prepare and comply with a soil and water conservation plan.
- (2) In respect to sea water, the soil and water conservation plan shall include catchment protection mechanisms in order to mitigate siltation.
- (3) In requiring a soil and water conservation plan, the Authority shall apply the criteria shown in Part 2 of the Fifth Schedule.
- (4) The soil and water conservation plan shall be in accordance with the specifications set out in the Third Schedule.
- (5) If in the opinion of the Authority the landholder or land user fails to comply with an approved soil and water conservation plan, the Authority may cause to be rectified, constructed or implemented sufficient soil and water conservation measures for the purposes of conserving water resource quality conditions.
- (6) The Authority may recover the cost of undertaking these measures from a person who has failed to comply.
- (7) Failure to comply with an approved soil and water conservation plan may be considered by the Authority as a basis for rejecting, suspending, cancelling or varying a permit.
- (8) A person who fails to comply with the soil and water conservation plan commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

Part XI – WATER RESOURCE USERS ASSOCIATIONS

97. Registration and operation of water resources users associations

- (1) A water resources users association shall register with the Authority by submitting Form WRA 018 in the Tenth Schedule.
- (2) For a water resources users association to qualify for registration by the Authority, it shall—
 - (a) be registered under the Societies Act, as an association provided that prior to the registration, the water resources users association shall seek a letter of no objection from the Authority;

- (b) have a constitution conducive to collaborative management of the water resources of a particular sub-catchment and which promotes public participation, conflict mitigation and resolution, gender main-streaming and environmental sustainability;
 - (c) have a delineated boundary map of its coverage area# and
 - (d) submit a list of its members and minutes of a meeting that elected its officials.
- (3) The Authority shall respond in writing within thirty days of the receipt of the application for registration as a water resources users association.
- (4) If after thirty days there are no objections or if any objections received have been satisfactorily addressed, the Authority shall issue the water resources users association with a certificate of registration in Form WRA 019 in the Tenth Schedule and enter its name in the register for water resources users association.

98. Water resources users associations' operations

- (1) Water resources users associations' operations shall comply with the following—
- (a) the water resources users association plans shall be facilitated by the Authority and their review approved by the Authority;
 - (b) the water resources users association shall receive and utilize funds with approval from the Authority in related water resource management activities;
 - (c) the water resources users association shall adhere to its constitution and shall not develop by laws that are in contradiction with the Constitution;
 - (d) the water resources users association shall submit an annual report to the Authority and as when it is required;
 - (e) the water resources users association shall make annual returns to the Attorney General and share the same information with the Authority; and
 - (f) the water resources users association shall not engage in any political activity.
- (2) For a water resources users association to qualify to enter into a tripartite water resource management memorandum of understanding with the Authority and the respective county government, it shall—
- (a) be legally registered under the Societies Act (Cap. 108)#
 - (b) have a constitution that promotes collaborative management of a water resource, active membership that shall be open to all water users in the area, public participation, conflict mitigation and resolution, gender main-streaming and environmental sustainability;
 - (c) have a sub-catchment management plan developed in line with the basin area water resources management strategy in accordance with section 29(3) of the Act;
 - (d) have a functioning and duly functioning management committee#
 - (e) have requisite technical, administrative and organizational capacity to perform the functions specified in the memorandum of understanding; and
 - (f) have a record of compliance with financial procedures and obligations, including the remittance of statutory deductions, income tax and other applicable taxes.

99. Memoranda of understanding

- (1) Where a water resources users association traverses more than one county, the memorandum of understanding shall be between the authority, the water resources users association and all the counties traversed by the water resources users association.

- (2) The Authority, county government and the water resources users association shall before entering into a water resource management memorandum of understanding—
 - (a) identify the sub-basin and water resource proposed to be the subject of the agreement; and
 - (b) assess and agree on a proposed mechanism for collaborative management of the water resource.
- (3) The memorandum of understanding shall identify modalities for administrative, technical or financial support to the water resources users association by the Authority and county government in respect of activities related to collaborative water resource management.
- (4) Without prejudice to financial support mechanisms referred to in sub-regulation (3), the Authority shall equitably allocate financing to water resources users associations for conservation and management of water resources.

100. Register of water resources users associations

- (1) The Authority shall maintain a register of water resources users associations.
- (2) The Authority shall on an annual basis publish on its website, water resources users associations that have been suspended and deregistered.
- (3) Any person may obtain certified copies of the information in subregulation (2) from the Authority upon payment of the fees prescribed in the Second Schedule.
- (4) Whenever the particulars of the water resources users association change, the water resources users association shall re-submit Form WRA 018 in the Tenth Schedule to the Authority.

101. Suspension of water resources users associations

- (1) The Authority may with good cause suspend a water resources users association from the register of water resources users association in the following circumstances—
 - (a) if the water resources users association fails to adhere to its own constitution;
 - (b) if the water resources users association is deregistered under the Societies Act (Cap. 108)#
 - (c) if the water resources users association breaches any conditions under these Regulations or fails to honour the tripartite memorandum of understanding with the Authority and the county government# or
 - (d) any other justifiable cause which in the view of the Authority undermines the objectives of water resources users association.
- (2) Where the Authority intends to suspend a water resources users association from the register of water resources users associations, it shall give the association thirty days' notice in writing to show cause why it should not be suspended and during this period, the water resources users association shall be suspended.
- (3) During the period a water resources users association is suspended, it shall not engage in any activities related to any memorandum of understanding entered into with the Authority and county government, without the approval of the Authority.
- (4) The Authority may lift the suspension upon being satisfied that the water resources users association has taken corrective measures on the issues that led to the suspension.
- (5) Where a water resources users association fails to take corrective measures within a specified time, the Authority shall remove the water resources users association from its register and the water resources users association shall cease to be engaged in any water resources management activity undertaken pursuant to any memorandum entered into with the Authority and county government.

- (6) Water resources users association registration with the Authority does not confer any legal standing on the water resources users association, but serves only to affirm the entity considered by the Authority to be a water resources users association for a particular water resource.
- (7) The officials of any water resources users association under suspension or any water resources users association that has been removed from the register who contravene the provisions of this regulation commit an offence and are liable on conviction to the penalty prescribed in section 147 of the Act.

102. National water resources users association

- (1) Water resources users associations may, with the approval of the Authority, register a National Association of Water Resources Users Associations whose membership shall be drawn from water resources users associations registered by the Authority under these Regulations.
- (2) The functions of the National Association of Water Resources Users Associations shall be to—
 - (a) support the Authority in selecting water resources users association eligible for funding;
 - (b) prepare and update the register of members;
 - (c) ensure its registered members comply with regulatory requirements including—
 - (i) conduct of annual general meetings#
 - (ii) election of officials through elections conducted following due process# and
 - (iii) filing of returns to relevant government agencies as required under these Regulations or any other written law;
 - (d) lobby and advocate for resources for undertaking catchment conservation, management, innovation, livelihood and research activities;
 - (e) collaborate with the Authority in activities supporting water resources users associations#
 - (f) source for funds and seek partnerships for the implementation of water resources management activities;
 - (g) advocate for and promote protection, conservation and management of water resources by water resources users associations within their respective basin areas;
 - (h) promote water resources education and information sharing in line with guidelines provided by the Authority;
 - (i) network with organizations to advance common interest and goals to sustain water resources in their respective basin areas;
 - (j) jointly with various partners, organize and provide trainings and seminars on water resources management to water resources users associations#
 - (k) promote research on water resources development and management# and
 - (l) provide a common forum to meet, discuss and exchange ideas on water resources management.
- (3) The National Association of Water Resources Users Associations shall operate within guidelines specified by the Authority and in conformity to its objects of establishment.
- (4) Without prejudice to subregulation (3), the constitution of the National Association of Water Resources Users Associations shall include the following information—
 - (a) the name and address of the association#
 - (b) the objects and functions of the association#

- (c) the requirements for membership of the association;
 - (d) the rights and duties of the members of the association;
 - (e) the powers, responsibilities, and duties of the management bodies and any other employee of the association;
 - (f) the procedures for calling and holding meetings of the General Assembly of the association;
 - (g) conditions for the election, term of office, suspension and removal of elected officers and members of other bodies of the association;
 - (h) provisions on the setting of fees# and
 - (i) conditions for the termination of the activities of the association.
- (5) The National Association of Water Resources Users Associations shall, in addition to compliance with other legislative provisions governing its registration, establish and maintain—
- (a) a register of members which shall be updated annually and shall contain its name, coverage area, and activity undertaken for each water resources users association member#
 - (b) a register of fees paid and owed by members;
 - (c) the date of registration of the association;
 - (d) the number of members of the association;
 - (e) the names, addresses, email and telephone numbers of the members of the individual water resources users association management committees;
 - (f) a register containing the minutes of the meetings of the annual general meeting;
 - (g) a register containing transactions and contracts entered into by the association#
 - (h) an inventory of the assets of the association;
 - (i) a complete and accurate book of accounts and financial documents association;
 - (j) any other records specified in the by-laws of the association; and
 - (k) a memorandum of understanding with the Authority for the implementation of activities contemplated under its objects.
- (6) The Authority may with good cause suspend the National Association of Water Resources Users Associations from its register of water resources users associations and during the period the National Association of Water Resources Users Associations is suspended, it shall not be engaged in any activities related to water resources users associations or activities of the Authority, without the approval of the Authority.
- (7) The Authority may lift the suspension upon being satisfied that the National Association of Water Resources Users Associations has taken corrective measures on the issues that led to the suspension.
- (8) Where the National Association of Water Resources Users Associations fails to take corrective measures, within a specified time, the Authority shall remove the National Association of Water Resources Users Associations from its register and request the Registrar of Societies to deregister the Association.
- (9) Upon deregistration, the National Association of Water Resources Users Associations shall cease to be engaged in any water resources management activities.
- (10) The Authority shall provide technical support in the elections of officials of the National Association of Water Resources Users Associations.

Part XII – BASIN WATER RESOURCES COMMITTEES

103. Designation of basin areas

- (1) Within three months of the designation of a basin area, the Cabinet Secretary shall establish a basin water resources committee and appoint members of the committee pursuant to section 26 of the Act.
- (2) Within three months of the commencement of these Regulations each county government whose area falls within a basin area shall submit to the Cabinet Secretary the name of its representative to the basin water resources committee from among its senior officers and a second name to serve as an alternate.
- (3) Notwithstanding the First Schedule of the Act, in the event that a county government falling within a basin area fails to make the appointments required under subregulation (2) within the time prescribed, the basin water resources committee, once constituted, shall be deemed properly constituted to perform its functions.

104. Consideration of Category B, C and D applications

- (1) Following the establishment of the basin water resources committee all Category C and D water use applications shall be submitted by the regional office of the Authority for consideration and advice before the Authority makes a determination on the application.
- (2) The Authority shall take into account the advice of the basin water resources committee in making its decision and where the decision differs from the advice in any material particulars, the Authority shall before making a decision provide to the members of the committee the reasons for departing from the advice of the committee.
- (3) Where an applicant for a water use permit appeals to the Water Tribunal against the decision of the Authority, the Authority shall provide the appellant with the reasons for the decision of the Authority, advice of the basin water resources committee and the explanation provided by the Authority to the committee for departing from its advice.

105. Quorum of basin water resource committee

- (1) Notwithstanding the First Schedule of the Act, provisions of basin area management strategies developed under section 28 of the Act in respect to soil and water conservation for implementation by county governments or the operations of a water resources users association in implementing sub-catchment management plans in the sub-basin is to be discussed, the committee shall only be quorate if at least one-third of the county governments participate in the meeting at which that item is to be discussed.
- (2) Subregulation (1) shall not limit or in any way constrain the Basin Water Resources Committee from discussing and determining an application for a water use permit, its cancellation, suspension or the recommendation for the taking of other enforcement action by the Authority against a permit holder.

106. Regional offices

- (1) The regional office of the Authority shall facilitate the work and activities of the committee through the provision of technical, administrative, financial, logistical and other support.
- (2) The regional officer of the Authority in charge of the basin area shall provide secretariat services to the basin water resources committee.
- (3) The Authority shall make requests in accordance with the provisions of the Public Finance Management Act (Cap. 412A) for budgetary allocation to be utilized for the payment of salaries,

allowances and other expenses of the basin water resources committees as determined under section 26(7) of the Act.

107. Publication of committee reports

- (1) A basin water resources committee shall on an annual basis publish a report of its activities.
- (2) A copy of the report shall be submitted by the Authority to each county government within the basin area and where appropriate the Authority shall convene a meeting of the county governments in the basin area to discuss the report and identify priorities for action in the following year.

Part XIII – PROTECTED AREAS AND GROUNDWATER CONSERVATION AREAS

108. Identification of protected or designated groundwater conservation areas

- (1) Pursuant to sections 22 and 23 of the Act, the Authority may identify a catchment area, part of a catchment area or water resource to be identified as areas to be protected or designated as groundwater conservation areas if the Authority is satisfied that doing so is necessary for the protection of the water resource and its multiple uses.
- (2) In identifying a protected area or groundwater conservation area, the Authority shall be guided by the criteria in the Fifth Schedule and any other relevant considerations.
- (3) The Authority shall, in the order made pursuant to section 22 or 23 of the Act, specify the boundaries of the proposed protected area or ground water conservation area.

109. Criteria for groundwater or catchment area

- (1) Pursuant to section 22 or 23 of the Act, the criteria set out in Part 3 of the Fifth Schedule shall guide the identification of a groundwater or catchment area.
- (2) Any Order declaring a protected area or a groundwater conservation area shall address the items listed in Part 4 of the Fifth Schedule.

110. Public consultation

The Authority shall undertake public consultations with respect to the areas to be protected or designated as groundwater conservation areas and the management rules or plans that shall apply with respect to these areas.

Part XIV – THE RESERVE

111. Composition of the reserve

The reserve shall comprise of one element related to the quantity of the resource and the respective probability associated with that quantity and a second element related to the quality of the resource.

112. Reserve quantity

- (1) In all instances where water resource records are available, the Authority shall establish the reserve.
- (2) The reserve quantity for—
 - (a) streams and rivers, shall not be less than the flow value that is exceeded 95% of the time as measured by a naturalised flow duration curve at any point along the water course;

- (b) lakes and naturally occurring stagnant waters, shall not be less than the water volume that is exceeded 95% of the time as measured by a naturalised volume duration curve or, failing bathymetric data, a naturalised level duration curve;
 - (c) aquifers shall be the annual potential recharge minus the groundwater potential as determined by the Authority; and
 - (d) aquifers whose recharge rate has not been determined by the Authority, for each point of abstraction shall be 75% of the test yield expressed in cubic metres per day as determined by test pumping analysis.
- (3) In all instances where water resource records are not available or where there are significant ambiguities, the Authority shall establish the reserve and shall be guided by—
- (a) ecological vulnerability;
 - (b) vulnerability of local populations dependant on that water resource;
 - (c) local observations with respect to the naturalised flows or water levels of minimum values observed during periods of prolonged droughts; and
 - (d) consultations with the water resources users associations if such exist.
- (4) In all instances where water flow is known to be normally perennial, the reserve quantity shall be sufficient to ensure perennial flow.

113. Information on and protection of the reserve quantity

- (1) The Authority shall make the reserve information on water resources accessible to the public.
- (2) Any person may make a verbal or written report or complaint to any office of the Authority within the relevant catchment or to the Chief Executive Officer if—
 - (a) the person is unable to obtain sufficient water from the water resource for basic human needs as a result of the reserve being violated; or
 - (b) as a result of their observations, they consider that the ecology is threatened as a result of the reserve being violated.
- (3) Each complaint or report registered with the Authority in regard to a violation of the reserve quantity or quality, shall be given a complaint number by the Authority which shall be used for purposes of monitoring the response to the complaint or report.
- (4) In any instance where a complaint or report has been registered with the Authority in regard to a violation of the reserve quantity or quality, the Authority shall respond to the complaint or report within forty-eight hours.
- (5) The response of the Authority under subregulation (4) shall include any of the activities set out in the Sixth Schedule.
- (6) Within thirty days after each report of a violation of the reserve, the Authority shall prepare a report detailing the nature of the violation and the measures taken to restore the reserve.
- (7) Where the Authority considers that the reserve quantity and or quality is threatened, it shall cause to be placed in or near the water resource or in a public place frequented by the water users of a particular resource a visible signboard displaying the current condition of the resource and action required by the water users to safeguard the reserve.

Part XV – REGISTRATION OF WATER SECTOR PROFESSIONALS

114. Categories of water sector professionals

The categories of water sector professionals shall be as specified in Part 1 of the Seventh Schedule.

115. Licensing of water sector professional or contractor

- (1) No person or entity shall carry out the work of a water sector professional or contractor under these Regulations unless that person has been licensed as a water sector professional or a contractor by the Cabinet Secretary.
- (2) The decision on an application for a licence or conduct of a contractor or a water sector professional under these Regulations shall be communicated to the concerned party within fourteen days from the date of the decision.
- (3) Any contractor or water sector professional aggrieved by the final decision of the Cabinet Secretary may appeal to the Water Tribunal.

116. Establishment of the Technical Advisory Committee

- (1) There is established a Technical Advisory Committee whose principal function is to advise on the registration, conduct and all other matters relating to water sector professionals and contractors under these Regulations.
- (2) The Technical Advisory Committee shall consist of—
 - (a) the chairperson who shall be an officer from the Ministry and appointed by the Cabinet Secretary;
 - (b) a representative from the Authority;
 - (c) a representative from the Water Services Regulatory Board;
 - (d) a representative from the National Water Harvesting and Storage Authority#
 - (e) three representatives from the following regulatory bodies—
 - (i) Engineers Registration Board,
 - (ii) Hydrologist Registration Board,
 - (iii) Geologist Registration Board; and
 - (f) three representatives from the following professional associations—
 - (i) Institution of Kenya Engineers#
 - (ii) Hydrological Society of Kenya; and
 - (iii) Geological Society of Kenya.
- (3) The Chairperson and members of the Committee shall be appointed by the Cabinet Secretary.

117. Persons qualifying for a water sector professional licence

A person may apply for a water sector professional licence if the person is—

- (a) a holder of a degree from a recognized university who has had at least five years of practical experience in a profession or discipline relevant to the management of water resources or the provision of water and sewerage services; and

- (b) a registered member of the applicable professional body.

118. Professionals holding non-Kenyan qualifications

- (1) A water sector professional holding a non-Kenyan qualification may apply for a licence to practice as a water sector professional or contractor for the purpose of any specified task or in regard to a task which the person so applying for registration and licencing has been engaged to undertake under a contract with an entity established or operating under the laws of Kenya.
- (2) Every water sector professional or contractor licensed under subregulation (1) shall for the purposes of completing a task be deemed to be a water sector professional or contractor.
- (3) No water sector professional or contractor holding non-Kenyan qualifications shall be entitled to carry out works is licenced and has paid the prescribed fee.
- (4) Where a complaint is made in respect of a water sector professional or contractor holding non-Kenyan qualifications, the Cabinet Secretary may suspend the licence of such water sector professional or contractor from performing any tasks in Kenya pending the making of a final determination.

119. Application for a licence

Any individual who provides or intends to provide professional services related to water resources or the provision of water or sewerage services shall apply for a licence as a water sector professional under the appropriate area of specialisation to the Cabinet Secretary in Form WRP 001 set out in the Tenth Schedule.

120. Professional interview

The Cabinet Secretary may, after receiving an application for a water sector professional licence, require the attendance of the applicant before the Technical Advisory Committee, which may examine or interview the applicant on any matter relevant to the application.

121. Water sector professional licence

- (1) If, on the basis of the recommendations of the Technical Advisory Committee, the Cabinet Secretary is satisfied that the applicant is qualified to be licensed as a water sector professional, the Cabinet Secretary shall issue a licence in Form WRP 002 as set out in the Tenth Schedule for such period and on such conditions, as the Cabinet Secretary may deem necessary.
- (2) A water sector professional shall pay an annual licence fee as set out in the Second Schedule.
- (3) Payments of the licence fees shall be made to the Cabinet Secretary no later than the end of the third month of each year.
- (4) The Cabinet Secretary—
 - (a) may suspend a licence where the licensee fails to renew the licence or pay the licence fees;
 - (b) may reinstate the suspended licence after the licensee pays the outstanding fees;
 - (c) shall revoke the licence where the licensee fails to renew a licence for a consecutive period of three years.

122. Codes of practice for water sector professionals

All water sector professionals shall comply with Codes of Practice issued by the Cabinet Secretary from time to time.

123. Register of water sector professionals

- (1) The Cabinet Secretary shall keep a register of all water sector professional licences issued under these Regulations which shall provide for different classes of approved water sector professionals.
- (2) Every water sector professional shall inform the Cabinet Secretary in writing of changes in particulars associated with their licence within twenty-eight days of such change.
- (3) Failure to notify the Cabinet Secretary of any changes may result in disciplinary action, including suspension of the licence.

124. Complaints against water sector professionals

- (1) A complaint may be made to the Cabinet Secretary against any person licensed as a water sector professional under these Regulations if the water sector professional—
 - (a) has become incapable of carrying out the work of a water sector professional; or
 - (b) has become unfit, on account of any reason, to practice as a water sector professional; or
 - (c) has failed to comply with or is in breach of the conditions of their licence or any provisions of the Act or of these Regulations; or
 - (d) is guilty of professional malpractice or negligence in the performance of his duties.
- (2) The Cabinet Secretary shall refer all complaints received against water sector professionals to the Technical Advisory Committee which shall hold an inquiry within thirty days of the complaint being lodged, and if after such inquiry the Technical Advisory Committee is satisfied that the complaint is justified it shall provisionally suspend the licence of the person and immediately thereafter submit its findings to the Cabinet Secretary with a recommendation of the appropriate action.
- (3) A water sector professional found culpable of professional misconduct shall be subject to the cancellation or suspension of their licence, the removal of their name from the register and notification of the suspension or cancellation of the licence in the websites of the relevant regulatory authorities.
- (4) Pending the decision of the Cabinet Secretary on the recommendation of the Technical Advisory Committee, the water sector professional shall, on the basis of the provisional suspension of his licence, cease undertaking any professional assignments in the water sector.
- (5) The person against whom a complaint has been made shall be entitled to appear and be heard at such inquiry before their case is determined.
- (6) Any person whose licence has been suspended or cancelled or whose name has been deleted from the register of water sector professionals may, within thirty days of the date of notification of such cancellation or deletion, appeal to the Water Tribunal.

125. Validity of certificates, documents or plans

No certificate, document or plan required by the Act or these Regulations to be signed by a water sector professional shall be valid unless signed by a person whose name is in the register referred to in these Regulations and who is not at the time under a suspension.

126. Misrepresentation as a licensed water sector professional

Any person who wilfully and falsely takes or uses any name, title or addition implying that the person is a water sector professional licensed under these Regulations commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

Part XVI – LICENSING OF CONTRACTORS

127. Categories of contractors

The categories of contractors shall be as specified in Part 2 of the Seventh Schedule.

128. Criteria for contractors

- (1) The Cabinet Secretary shall, in specifying the criteria for different categories of contractors, base on the following criteria—
 - (a) plant and equipment#
 - (b) qualifications and experience of professional staff# and
 - (c) past experience and performance.

129. Application to register as a contractor

- (1) Any individual, corporate entity, non-governmental or charitable organisation, or public body that intends to construct, modify, rehabilitate or service water works shall apply for registration under the appropriate category as a contractor to the Cabinet Secretary, in Form WRC 001 as set out in the Tenth Schedule.
- (2) A person shall not be registered as a contractor unless he is in possession of a valid certificate issued by the National Construction Authority for the category of works he proposes to undertake.

130. Contractor licence

- (1) A person who is registered as a contractor under regulation 129(1) shall apply to be licensed as a contractor to the Cabinet Secretary in the Form WRC 001 as set out in the Tenth Schedule.
- (2) The Cabinet Secretary shall—
 - (a) verify the details of the application# and
 - (b) inspect the premises and the equipment.
- (3) If the Cabinet Secretary is satisfied, on the basis of recommendations of the National Construction Authority, the Water Services Regulatory Board or Storage Authority as appropriate, that the applicant is a person qualified to be licensed, it shall issue a licence in the Form WRC 002 in the Tenth Schedule for such period and on such conditions as it may deem suitable.
- (4) A contractor shall pay an annual licence fee as set out in the Second Schedule and payments shall be made to the Cabinet Secretary no later than the end of the third month in each calendar year.
- (5) The Cabinet Secretary—
 - (a) may suspend a licence where the licensee fails to renew the licence or pay the licence fees;
 - (b) may reinstate the suspended licence after the licensee pays the outstanding fees; or
 - (c) shall revoke the licence where the licensee fails to pay for the licence for a consecutive period of three years.

131. Verification of necessary and valid authorisations

- (1) A contractor engaged to undertake any works shall verify that all necessary and valid authorisations have been obtained by the client in regard to the proposed works prior to the commencement of the works.

- (2) Commencement of works by the contractor without having verified the availability of the required authorisations may be used as a basis by the Cabinet Secretary to take disciplinary action, which may include the de-registration of the contractor.

132. Complaints against contractors

- (1) complaint may be made to the Cabinet Secretary against any person licensed as a contractor if such contractor—
 - (a) is incapable of carrying out the work of a contractor; or
 - (b) is unfit, through any reason, to practice as a contractor# or
 - (c) fails to comply with the conditions of their licence or any provisions of the Act, or of these Regulations; or
 - (d) is guilty of malpractice or negligence.
- (2) The Cabinet Secretary shall hold an inquiry within thirty days of the complaint being lodged and if after such inquiry the Cabinet Secretary is satisfied that the complaint is justified it shall take disciplinary action which may include suspension or cancellation of the licence of the contractor and where the licence is cancelled, the name of the contractor shall be deleted from the register of contractors.
- (3) The contractor against whom a complaint has been made shall be entitled to appear and to be heard at such inquiry before the case is determined.
- (4) A contractor whose licence has been suspended or cancelled and whose name has been deleted from the register of contractors under subregulation (2) may, within thirty days of the date of notification of such suspension, cancellation or deletion, appeal to the Water Tribunal.

133. Register of contractors

- (1) The Cabinet Secretary shall maintain a register of licenses for contractors issued under these Regulations.
- (2) Every contractor shall inform the Cabinet Secretary in writing of changes in particulars associated with their licence within twenty-eight days of such change.
- (3) Failure to notify the Cabinet Secretary of any changes may result in disciplinary action, including suspension of the license.

134. Misrepresentation as contractor

Any individual, corporate entity, non-governmental or charitable organisation, or public body who wilfully and falsely takes or uses any name, title or addition implying that he, she or it is a contractor licensed under these Regulations commits an offence and is liable on conviction to the penalty prescribed in section 147 of the Act.

Part XVII – MISCELLANEOUS

135. Recognized water quality laboratories

Any water quality laboratory which is registered or accredited by the Kenya Accreditation Service established under Kenya Accreditation Service Act (Cap. 496A) shall be recognised by the Authority.

136. Orders of the Authority

- (1) The Authority may issue an order to any person to desist from any activity, or for the carrying out of corrective measures to improve compliance with these Regulations.
- (2) The order shall be in Form WRA 016 as set out in the Tenth Schedule and shall specify what measures are required to be taken, the period of time for compliance with the order and any other conditions pertaining to the order.
- (3) A person who has been issued with an order by the Authority and fails to comply within the specified period commits an offence and is liable on conviction to the penalty set out in section 147 of the Act.
- (4) Any person who objects to any part of an order issued under this regulation shall respond in writing to the Authority within fourteen days of the issue and provide justification for the objection.
- (5) The Authority shall, within seven days of receiving the objection, notify the person served with the order of any changes to the order, if any.
- (6) Where the order is not complied with within the specified period, the Authority may take any appropriate measures to prevent the continuance of any activity specified in the order including the confiscation of equipment, plant or works.
- (7) Any costs incurred by the Authority in effecting the measures under subregulation (6) is a cost recoverable from the recipient of the order.
- (8) A person who is dissatisfied with a decision of the Authority may lodge a complaint with the Authority in accordance with the complaints mechanism specified in regulation 137.
- (9) In the event that the Authority determines that an activity may cause deterioration of the resource quality, the Authority shall take immediate corrective measures without reference to the person who caused it, and any costs incurred by the Authority in effecting these measures may be recovered from the person responsible.
- (10) In addition to any other penalties specified in the Act or these Regulations, a licensee or permit holder who fails to comply with an order of the Authority may have their licence or permit, suspended, cancelled or varied.

137. Complaints mechanism

- (1) Any person aggrieved with any decision made under these Regulations shall submit their complaint to the Authority providing the particulars as set out in the Eighth Schedule.
- (2) The Authority shall within twenty-one days of receiving the complaint, reply to the complainant, copied to all other relevant parties, stating what action is being taken, the position of the Authority on the matter and any recommendation to the complainant.
- (3) If the complainant is dissatisfied, the complainant may forward the matter to the Chief Executive Officer of the Authority.
- (4) The Chief Executive Officer shall reply to the complainant, copied to all other relevant parties, within twenty-one days of receiving the complaint stating the final decision of the Authority including whether the Chief Executive Officer upholds or annuls as the case maybe, the decision of the Authority and give reasons for his decision or any recommendation to the complainant.
- (5) If the complainant is dissatisfied with the final decision of the Authority, they may appeal this decision at the Water Tribunal.
- (6) Each complaint shall be given a Complaint Number by the Authority which shall be used for purposes of monitoring remedial action taken and the response to the complainant.

138. Revocation

The Water Resources Regulations (L. N 43/2021), are revoked.

FIRST SCHEDULE (rr. 6, 7, 8(1), 9(1), 16(1), 17(1), 52(5), 57(3)(4))**WATER USE ACTIVITIES AND PERMIT DETAILS****PART 1 - WATER USE ACTIVITIES THAT REQUIRE APPROVAL BY**

<i>Item</i>	<i>Water Use Activity</i>
1.	Temporary abstraction for construction
2.	Diversion of water from a water course
3.	Abstraction from surface water
4.	Diversion of a water course
5.	Abstraction from groundwater, either by a borehole or a shallow well
6.	Groundwater recharge augmentation
7.	Water storage in dams and pans
8.	Liquid waste including the effluent discharged, disposed or emitted into the environment likely to adversely impact on a water resource
9.	Swamp, marsh or wetland drainage
10.	Abstraction of water
11.	In-stream works
12.	Mixing of waters from different water resources
13.	Hydropower generation
14.	Exploiting and using sea water for salt production
15.	Dredging of the bed of a watercourse, lake, territorial sea or other water bodies

16.	Construction of boundary walls adjoining a water body, retaining walls, dykes and similar structures
17.	Dumping of debris or waste materials into a water resource
18.	Reclamation of land either on account of the recession of a water body or the seabed or for other reason
19.	Non-consumptive utilisation involving recreational activities including training exercises if routinely carried out by a group of persons either formally or informally organised
20.	The extraction of salt or other non-living natural resources from the waters of the territorial sea or other water bodies
21.	The extraction of geothermal resources
22.	Drilling, tunnelling, the use of explosives, excavation, quarrying and other extractive activities into or in close proximity to a water resource
23.	Sand harvesting

PART 2 - ACTIVITIES FOR WHICH APPLICATION FOR VARIATION OF PERMIT SHALL BE MADE:

<i>Item</i>	<i>Activity</i>
(a)	Modifications at the point of diversion or abstraction
(b)	Varying the water use
(c)	Changing the point of use
(d)	Mixing water covered under different permits
(e)	Replacement, deepening, widening or any other modification to an existing borehole, shallow well or any water works requiring approval by the Authority
(f)	Abandonment of an existing water works that would normally require approval by the Authority
(g)	Artificial recharge of groundwater
(h)	Any other type of water use activity that may, from time to time, be determined by the Authority

PART 3 - CATEGORY OF WATER RESOURCE USE ACTIVITIES:

CATEGORY	DESCRIPTION
A	Water use activity which by virtue of its scale has a low risk of impacting the water resource. Applications in this category will be determined at the Authority Regional Office.
B	Water use activity which by virtue of its scale has the potential to make a significant impact on the water resource. Permit applications in this category shall be determined at the Authority's Regional Office following consultation with the Water Resources Users Associations or equivalent local representative association whose objective is natural resources management and conflict resolution.
C	Water use activity which by virtue of its scale has a significant impact on the water resource. Permit applications in this category will be determined at the Authority's Regional Offices on the basis of advice of the Basin Water Resource Committee and following consultation with the concerned WRUAs local representative association(s) whose objective is natural resources management and conflict resolution.
D	Water use activity which involves either two different basin areas, or is of a large scale or complexity and which by virtue of its scale has a large impact on the water resource. Permit applications in this category will be determined at the Authority's head office on the basis of the advice of the concerned Basin Water Resource Committees.

SECOND SCHEDULE

FEES AND WATER USE CHARGES

(rr. 13(2), 16(1), 17(3), 19(4), 28(2), 29(2), 33(1), 35, 36, 38(1), 39(2),
41(3), 57(2), 61(6), 64(2), 79(4), 81(1)), 100(3), 121(2), 130(4))

PART A: FEES

1. GENERAL FEES

Description of Activity	Fees
	Kshs
Application for Water Permit	See second schedule, Part 2
Application for Easement	4000
Comments by WRUA on Application for Water Permit	Nil
Authorisation to Construct Works	Nil
Application for Extension of Time of Authorisation	4000

Issuance of Extension of Authorisation to Construct Works Inspection	Nil
Completion Certificate	Nil
Water Permit	See second schedule, Part 2
Renewal of Permit	See second schedule, Part 2
Variation of Permit	4000
Transfer of Permit	4000
Search of Water Permit	2000
Assessment of Water Use and Charges	Nil
WRA Order	Nil
Authority to Enter Land	4000
WRUA Registration	Nil
Certificate of Registration of WRUA	Nil
Certificate of Registration of National Association of WRUAs	Nil
Supplement to Water Permit/Authorisation	6000
Application for Water Sector Professional	6000
Licence as Water Sector Professional	6000
Application for registration as Contractor	10000
Licence as Contractor	10000
Annual Licence Fee for Water Sector Professional	4000
Annual Licence Fee for Contractor	4000

For re-issue of or alteration to Authorisations, Permits, and Licences	4000
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2. FEES FOR ASSESSMENT AND ISSUANCE OF WATER USE PERMITS BY CATEGORY

Applications	Assessment of Application	Inspection and issuance of Permit	Inspection and renewal of Permit
	(Kshs)	(Kshs)	
		(for 5 years)	
Water Use Category A	2,000	1,000	1,000
Water Use Category B	20,000	25,000	45,000
Water Use Category C	40,000	50,000	90,000
Water Use Category D	80,000	100,000	180,000

NOTE:

- Application fees in respect of Ground Water Permits shall be accompanied with payment for physical-chemical analysis.
- For permits issued for less than 1 year, the cost of the permit will be charged on a *pro-rata* basis.
- The fees for Assessment for renewal and/or variation of Permit is inclusive of issuance of the Permit (renewal).

3. FEES FOR DATA, INVESTIGATIONS, LABORATORY ANALYSIS AND RELATED SERVICES

<i>Item</i>	<i>Type</i>	<i>Unit</i>	<i>Rate (Kshs)</i>
Groundwater Data	Basic data (WSL, WR, Yield, Depth) up to a maximum of 10 boreholes	Per request	5,000
	Borehole or Well Completion Record (Form 008A or 008B) including test pumping and water quality data	Per borehole	5,000
Hydro-meteorological Data	Rainfall (daily, monthly, or annual)	Per station record	5,000

	Climatic parameter	Per station record	5,000
	Water level and rating equations	Per station record	5,000
	discharge	Per station record	5,000
	lake/ reservoir level	Per station record	5,000
	sediment load	Per station record	5,000
Water Apportionment	Copy of Authorisation or Permit	Per copy	1,000
Water Quality Data	All parameters (up to a maximum of 20 data sets)	Per request	5,000
INVESTIGATIONS			
Groundwater	Hydrogeological Assessment or surveys including borehole siting	Per site	40,000/- plus staff days based on contracted consultancy day rate and AA rates for mileage exclusive of lab analysis costs.

Surface water	Hydrological Assessment or surveys	Per request	40,000/- plus staff days Based on contracted consultancy day rate and AA rates for mileage exclusive of lab analysis costs.
WQ & pollution Control	Water Quality Assessment or surveys	Per request	40,000/- plus staff days based on contracted consultancy day rate and AA rates for mileage exclusive of lab analysis costs.
Surface water	Flow measurement	Per site	20,000/- plus staff days based on contracted consultancy day rate and AA rates for mileage

Thematic maps & reports	blue prints	Per copy	2,000
	coloured prints	Per A1 copy	5,000
		Per A0 copy	5,000
	coloured prints	Per A4 copy	1,000
		Per A3 copy	1,000
	Digital Maps	Per Theme	20,000
	Reports	Per page	50
Equipment Hire		Per day	As per prevailing schedule of rates issued by WRA from time to time
Copy of Register of WRUAs		Per region	5000
Copy of Register of Water Bodies		Per region	5,000
Copy of Register of Authorisations or Permits		Per 100 or part thereof	5,000
Copy of Register of Water Sector		Per copy	5,000

Professionals or Contractors			
Recommendations by WRUA on Application for Permit <i>Note recommendation by WRUA does not confer or imply a Permit for water abstraction by the Applicant</i>	Permit	Per Permit	2,000

Certified Copy of Register of WRUAs		Per Sub region	1,000
WRUA Development Cycle			4,000

PART B: RATES FOR WATER USE CHARGES FOR PERMIT CATEGORIES A, B, C AND D.

Type of Water Use	Criteria	Rate
Domestic	Domestic purposes	2.50 Kes/m ³
Public	public purposes	2 Kes/m ³
Livestock	livestock purposes	2 Kes/m ³
Hydropower Generation	Amount of energy generated	No charge
	First 1 MW	
	Over 1 MW	1Kes per kWh
Irrigation	First 300 m ³ /day	2 Kes/m ³
	Over 300 m ³ /day	2.5 Ksh/m ³
Fish Farming	Amount supplied	10 cents/m ³
Recreational/aesthetic	Amount supplied	10 cents/m ³
Commercial / Industrial	First 300 m ³ /day	5 Ksh/m ³
	Over 300 m ³ /day	6 Ksh/m ³
Effluent Discharge:	Effluent Discharge Class A Pollution Loading Points - 0-200	1 Ksh/m ³

	Potential Impact-Low impact	
	Effluent Discharge Class B Pollution Loading Points - 201-1600	2 Ksh/m ³
	Potential Impact - Moderate impact	
	Effluent Discharge Class C Pollution Loading Points - 1601-4000	2.50Ksh/m ³
	Impact - High impact	
	Effluent Discharge Class D Pollution Loading Points - 4001-10,000	3 Ksh/m ³
	Impact-Very high impact	

Salt Extraction	Water use activities for salt extraction from water resources, including the ocean.	<p>Shall be calculated based on salt Production (tons) guided by the following derivations:</p> <p>(a) Density of freshwater = 1,000 kg salt/ 1m³ (1 kg per liter);</p> <p>(b) Density of seawater = 1,027 kg salt/ 1m³ (1.027 kg per liter);</p> <p>(c) Mass of dissolved salts = 27 kg salt/ 1m³ (0.027 kg per liter);</p> <p>(d) Mass of NaCl in a cubic meter of seawater 0.945 kg per cubic meter (3.5% of 27 Kg);</p> <p>(e) Volume of seawater yielding 1 kg of NaCl = (1/0.948) = 1.058m³</p> <p>(f) 1 Ton = 1,000 kg;</p> <p>(g) Volume of seawater yielding 1 Ton of NaCl = 1,058 m³ against an average 3.5% (35 parts per thousand).</p>
Lab Analysis Charges	Laboratory Water Quality Testing Charges	As provided under Part C of this Schedule
Searches	Riparian, WRUAs, Wetlands Dams Swamp	Ksh.1,000
Registration Of Professionals	Registration Renewal	Ksh.12,000 Ksh.12,000
Registration Of Contractors	Registration Renewal	Ksh.25,000 Ksh.25,000

NOTE:

A) All water uses under Category B, C and D attract water use charges.

B) Water use charges apply to water abstracted, diverted, stored, or used for hydropower generation.

PART C - LABORATORY WATER QUALITY TESTING CHARGES

PARAMETER	CHARGES (Kshs)		Individual Parameters	CHARGES (Kshs)
Physical Chemical Analysis	5000		22. Total Hardness	600
Biological Analysis	3500		23. Sulphides	350
Partial Effluent Analysis	5000		24. Dissolved Oxygen	300
Full Effluent Analysis	8000		25. Temperature	200
Individual Parameters			26. Salinity	300
1. pH	200		27. Chemical Oxygen Demand	1000
2. Colour	200		28. Biochemical Oxygen Demand	1000
3. Turbidity	300		29. Chlorine Demand	1000
4. Conductivity	300		30. 4Hr. Permanganate Value	500
5. Magnesium	400		31. Oil & Grease	1000
6. Total Alkalinity	350		32. Total Suspended Solids	500

7. Free Carbon Dioxide	200		33. Pesticides (each)	8000*
8. Orthophosphate	500		34. Detergents	2000
9. Total Phosphorus	700		35. Residue Chlorine	300
10. Chloride	300		36. Total Nitrogen	1000
11. Iron	700		37. Phenols	500*
12. Nitrate	500		38. Heavy metals (each)	1000
13. Nitrite	500		39. Coliforms & <i>E.Coli</i>	3500
14. Total Dissolved solids	300		40. Legionella	5000
15. Sulphate	400		41. Jar Test	5000
16. Fluoride	400		42. Water Treatment Chemical Analysis	5000
17. Calcium	400		43. Arsenic	1000
18. Manganese	700		44. Water quality Data for all parameters (up to Max. 20 data sets)	2000
19. Potassium	350			
20. Sodium	350			
21. Ammonia	500			

THIRD SCHEDULE (rr. 2, 17(2), 19(1), 52(4), 59(2)(a))

CONTENT AND FORMAT OF TECHNICAL REPORTS

The following are guidelines for Technical Reports and compilers are expected to exercise their professional judgement in including other appropriate items in the Technical Report.

FORMAT OF REPORTS

All reports shall be submitted to the Authority in the following format:

<i>Item</i>	<i>Format</i>
1.	One original paper hardcopy of all documents, duly signed, and adequately bound together;
2.	Two paper copies of all documents;
3.	A digital Portable Document Format (PDF) format of the document and drawings submitted on a Compact Disk or any other appropriate electronic medium.

FORMAT OF DRAWINGS

All technical drawings submitted to the Authority shall comply with the following format:

<i>Item</i>	<i>Format</i>
1.	One original paper hardcopy of all drawings, duly signed, and adequately bound together;
2.	Two paper copies of all drawings;
3.	A digital DXF (Digital Exchange Format) format of the technical drawings submitted on a Compact Disk (CD) or other electronic medium as appropriate.

Every plan shall be signed and dated by the person making it, and, if it is made by any person other than the applicant to whom it relates, the applicant or their authorised agent shall also approve, sign and date it.

Every plan prepared by a water sector professional shall have endorsed thereon a certificate in the following form:-

CERTIFICATE

I/We of..... hereby certify that this plan was made by me/us [or under my/our direction] and that it correctly represents the places, lands, areas and works shown thereon.

..... Water Sector Professional(s)

All reduced levels or elevations shown on any plan, or set of plans, longitudinal sections cross sections of any work or works shall be to the same datum, and reference shall be made on at least one sheet of any set of plans, longitudinal sections or cross sections indicating the datum used, and also the positions of all bench

marks, which shall be properly located and described on the general map (and which bench marks one shall be in the immediate vicinity of the point of diversion, abstraction or storage), from which the datum may be gained.

The location of the datum shall be described by the Grid Reference in UTM Coordinates based on the Arc 1960 datum. The elevation shall be referenced to mean sea level. The nature of the datum shall be adequately described.

FORMAT OF MAPS AND DRAWINGS

All technical drawings and maps submitted to the Authority shall comply with the following format

<i>Item</i>	<i>Format</i>
1.	A digital Tagged Image File Format (TIFF) format of the maps submitted on a CD, or other appropriate media.

SITE ASSESSMENT REPORT

A Site Assessment Report shall substantially provide the following details:

Item	Details
1.	Name and details of Applicant.
2.	Description of Proposed Activity.
3.	Confirmation of Site details.
4.	Relevant hydrological features.
5.	Relevant riparian and catchment features.
6.	Recommendations.

TECHNICAL REPORTS

The following technical reports shall substantially provide the details required.

DAM DESIGN REPORT (FOR CLASS SD1, SD2 AND SD3 DAMS)

Item	Contents
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1.	Details of location
2.	Details of hydrological assessment
3.	Details of design flood and return period
4.	Details of design flood and return period
5.	Details of reservoir
6.	Details of draw-off and compensation works
7.	Details of spillway(s)
8.	Details of ancillary structures
9.	Details of construction materials
10.	Details of construction schedule
11.	Details of operational rules
12.	Procedures to notify and protect downstream inhabitants, infrastructure and environments
13.	Schedule of inspection and maintenance
14.	Assessment of impacts and risks

TECHNICAL DESIGN REPORT

<i>Item</i>	<i>Detail</i>
1.	Name and details of Applicant
2.	Description of Proposed Activity
3.	Analysis of Demand
4.	Details of Hydrological Assessment
5.	Details of Structures to be built

6.	Details of Equipment to be installed
7.	Details of Controlling Device
8.	Details of Measuring Device
9.	Details of operating procedures
10.	Details of safety devices

PROGRESS REPORT

Item	Detail
1.	Name and details of applicant
2.	Description of proposed Activity
3.	Details of Authorisation including the time frame
4.	Cause of delay
5.	Revised timeframe for completion

DAM INSPECTION

<i>Item</i>	<i>Contents</i>
1.	Current condition of dam with respect to approved design and “as-constructed” condition
2.	Any action required to restore the functional and structural integrity of the dam to the required state
3.	Any changes with regard to the risk of or impact in the event of dam failure
4.	Review appropriateness of the action plan in event of dam failure

DAM DAMAGE OR FAILURE REPORT

<i>Item</i>	<i>Contents</i>
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1.	Details of location
2.	Date and time of dam failure or damage
3.	Preceding climate
4.	Preceding hydrology
5.	Cause of dam failure or damage
6.	Steps taken to notify downstream inhabitants
7.	Nature and extent of damage caused to the dam or caused by the dam failure

HYDROLOGICAL ASSESSMENT REPORT

<i>Item</i>	<i>Details</i>
1.	Name and details of Applicant
2.	Location and Description of Proposed Activity
3.	Details of Climate
4.	Details of river or water body (name, nearest Regular Gauging Station, Sub-catchment)
5.	Details of catchment (area, slopes, soils)
6.	Details of vegetation and land use
7.	Details of Registered and Non registered Abstraction on the resource
8.	Details of all other permits related to this application
9.	Hydrological characteristics and analysis (annual, monthly, extreme events, flow duration or probability of events occurring)
10.	Hydrochemistry
11.	Analysis of the reserve

12.	Assessment of availability of flow
13.	Impact of proposed activity on flow regime, water quality, other abstractors
14.	Recommendations on Proposed Activity

HYDROGEOLOGICAL SURVEY REPORT

Item	Details
1.	Name and details of applicant
2.	Location and description of proposed Activity
3.	Details of climate
4.	Details of geology and hydrogeology
5.	Details of neighbouring boreholes, and neighbouring proposed valid authorisations, including location, distance from proposed borehole or boreholes, number and construction details, age, current status and use, current abstraction and use
6.	Description and details (including raw and processed data) of prospecting methods adopted, e.g. remote sensing, geophysics, geological and or hydrogeological cross sections Hydro-geological characteristics and analysis, to include but not necessarily be limited to, the following: <ul style="list-style-type: none"> (a) Aquifer transmissivity; (b) Borehole specific capacities; (c) Storage coefficient and or specific yield; (d) Hydraulic conductivity; (e) Groundwater flux; (f) Estimated mean annual recharge, and sensitivity to external factors.
7.	Assessment of water quality and potential infringement of National standards
8.	Assessment of availability of groundwater
9.	Analysis of the reserve
10.	Impact of proposed activity on aquifer, water quality, other abstractors, including likelihood of coalescing cones of depression and implications for other groundwater users in any potentially impacted areas

11.	Recommendations for borehole development, to include but not limited to, the following: <ul style="list-style-type: none"> (a) Locations of recommended borehole(s) expressed as a coordinate(s) and indicated on a sketch map; (b) Recommendations regarding borehole or well density and minimum spacing in the project area; (c) Recommended depth and maximum diameter; (d) Recommended construction characteristics, e.g. wire-wound screen, grouting depth; and (e) Anticipated yield.
12.	Any other relevant information (e.g. need to monitor neighbouring boreholes during tests)

WASTE DISPOSAL CONTROL PLAN

<i>Item</i>	<i>Details</i>
1.	Name and details of applicant
2.	Name and details of applicant
3.	Type and source of waste
4.	Design of waste treatment plant
5.	Location and description (frequency, quantity, quality and nature) of effluent
6.	Description of treatment and operations, if any
7.	Hydrology, hydrogeology and hydrochemistry of receiving water body
8.	Impacts on receiving water body in terms of quantity and quality
9.	Proposed water quality requirements for the permit and the timeframe for achieving compliance
10.	Monitoring programme, (measuring device, controlling device, sampling, records, reporting procedures)
11.	Emergency plan for accidental discharges and their risks

WATER QUALITY AND POLLUTION CONTROL ASSESSMENT REPORT

Item	Detail
1.	Name and details of applicant
2.	Location and description of activity or proposed activity
3.	Details of river or water body (name, nearest Regular Gauging Station, Sub-catchment)
4.	Details of flow regime and hydrochemistry
5.	Nature and characteristics of waste disposed
6.	Impact of waste upon water resource and other water users
7.	Other sources of pollution in the project area
8.	Conclusions and recommendations

SOIL AND WATER CONSERVATION PLAN

<i>Item</i>	<i>Detail</i>
1.	Existing soil and water conservation structures and practises
2.	Potential sources of sediment and other pollutants to the water course
3.	Slope of land
4.	Land use
5.	Condition of the riparian land
6.	Proposed measures and targets for improved soil and water conservation
7.	Targets and timeframe for adoption and implementation of proposed soil and water conservation structures and practices
8.	Schedule of inspection of the Soil and Water Conservation Plan

9.	<p>Site sketch showing:-</p> <p>(a) Demarcation of boundaries of land covered under the Soil and Water Conservation Plan; and</p> <p>(b) Identification of significant features.</p>
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BASIN AREA WATER RESOURCES MANAGEMENT STRATEGY

Item	Detail
1.	A description of the institutional framework for water resource management detailing institutional roles and responsibilities.
2.	A strategy for the conservation of the catchment and riparian areas.
3.	A water resource development strategy capturing the need for improved water resource reliability and availability to meet current and future demands and to address poverty alleviation targets.
4.	A stakeholder participation strategy that will include mechanisms for encouraging the formation and establishment of Water Resource Users Associations and strengthening them once established.
5.	A communication strategy that will capture the communication needs and mechanisms for the catchment.
6.	A water resource monitoring strategy that will capture the water resource monitoring network and flow prediction targets.
7.	A compliance strategy that will detail the timeframe, approaches and requirements to bring water users into compliance with water management rules.
8.	A water demand management strategy that will capture approaches and targets for improving water allocation and use efficiencies.

9.	<p>A water allocation plan detailing:</p> <ul style="list-style-type: none"> (a) a description of the class of resources and their resource quality objectives; (b) an analysis of current and future water demands; (c) allocation of the resource to the reserve and to different types of uses; (d) measures to be taken to ensure that water use approvals remain true to the allocations; (e) measures to be taken when resource availability is limited; (f) a compliance plan; (g) an enforcement plan; and (h) mechanisms for reviewing the allocation plan from time to time as the need arises.
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FOURTH SCHEDULE (r. 61(1))

STANDARDS FOR EFFLUENT DISCHARGE

PART 1: STANDARDS FOR EFFLUENT DISCHARGE INTO SURFACE WATER RESOURCES

PARAMETER	MAX ALLOWABLE (LIMITS)
Arsenic as Ag (mg/l)	0.1
Biochemical Oxygen Demand (BOD 5 Days at 20 °C) (mg/l)	30
Cadmium as Cd (mg/l)	1 0
Chemical Oxygen Demand (COD) (mg/l)	100
Chromium as Cr (mg/l)	Less than 0 01
Lead as Pb (mg/l)	Less than 0 01
Oil and grease (mg/ml)	0.05
pH (pH scale)	5.0-9.0
Phenols total (mg/l)	0.05
Sulphide as S (mg/l)	2.0
Total Suspended Solids (mg/l)	30

Temperature (in degrees Celsius) based on ambient temperature	± 5
Cyanides as CN (mg/l)	Less than 0.2
Nickel as Ni (mg/l)	Less than 2.0
Detergents (ABS) (mg/l)	Less than 5.0
Mercury as Hg (mg/l)	Less than 0.01
Total Phosphorus as P (mg/l)	2
Total Nitrogen as N (mg/l)	10
Total pesticide residues (µg/l)	0.05

Remarks

The Authority may issue industry-specific Guidelines for effluent disposal based on the water quality objectives, the reserve water quality and dry weather stream flow for individual water courses or bodies.

PART 2: STANDARDS FOR DISCHARGE OF WASTE ONTO LAND (WITH IMPACTS ON GROUNDWATER)

PARAMETER	MAXIMUM
pH	5.5 – 9.0
Boron (mg/l)	2.0
BOD (mg/l)	500
Chloride (mg/l)	600
Total Dissolved Solids (mg/l)	2100
Oil and grease (mg/l)	30
Sulphates (mg/l)	1000
Sodium (as percentage of total cation concentration)	60

FIFTH SCHEDULE (rr. 93(1), 96(3), 108(2), 109(1)(2))**RIPARIAN AND CATCHMENT PROTECTION AND CONSERVATION AREAS**

1. PART 1: ACTIVITIES PROSCRIBED ON RIPARIAN

RESERVE ARE:

<i>Item</i>	<i>Activity</i>
(a)	Tillage or cultivation;
(b)	Clearing of indigenous trees or vegetation;
(c)	Building of permanent structures;
(d)	Disposal of any form of waste within the riparian reserve;
(e)	Excavation of soil or development of quarries;
(f)	Planting of exotic species that may have adverse effect to the water resource; and
(g)	Land reclamation.

2. PART 2: THE CRITERIA FOR REQUIRING A SOIL AND WATER CONSERVATION PLAN ARE:

<i>Item</i>	<i>Criterion</i>
(a)	existing condition of the riparian area and the risk of river bank erosion, sources of direct runoff into the water course and sediment sources within the riparian and catchment areas;
(b)	slope of the land;
(c)	land use and land management practices and the risk of soil erosion and destruction from excessive direct runoff;
(d)	presence or otherwise of soil and water conservation structures;
(e)	potential water resource pollution arising from the land use; and
(f)	any other criteria that the Authority considers to be significant.

3. PART 3: THE CRITERIA FOR IDENTIFYING A PROTECTED AREA OR GROUNDWATER CONSERVATION AREA ARE:

<i>Item</i>	<i>Criterion</i>
(a)	catchment characteristics;
(b)	the vulnerability of the water resource;
(c)	the water resource quality objectives and the current status of the water resource;
(d)	the class of the water resource;
(e)	water demands, present and projected, on the water resources;
(f)	land uses and their potential impact on the water resources; and
(g)	any other criterion that the Authority considers relevant;

4. PART 4: CONTENTS OF ORDERS OR PLANS RELATED TO A PROTECTED AREA OR GROUNDWATER CONSERVATION AREA MAY INCLUDE:

<i>Item</i>	<i>Contents</i>
(a)	procedures to be applied for the management of the protected area or groundwater conservation area;
(b)	prohibited activities;
(c)	any measures required to be undertaken for water resource conservation and protection;
(d)	the timeframe for implementation of required measures; and
(e)	any other conditions that the Authority may consider relevant.

SIXTH SCHEDULE (r. 113(5))

VIOLATIONS OF THE RESERVE

**MEASURES THAT THE AUTHORITY MAY TAKE IN RELATION
TO A REPORT ON VIOLATION OF THE RESERVE INCLUDE:**

<i>Item</i>	<i>Measures</i>
(a)	investigating the cause of the reserve violation;
(b)	advise the Cabinet Secretary that an emergency situation exists and the reserve is being violated by virtue of natural and or anthropogenic events;
(c)	enforcing any conditions on any approvals, authorisations or permits that may rectify the situation;
(d)	temporarily suspending or varying permits;
(e)	hydrographic and abstraction surveys;
(f)	establishing or revising a water allocation plan or an effluent discharge control plan;
(g)	informing the public on the condition of the reserve and any actions that are needed to restore the reserve; and
(h)	any other measures considered appropriate by the Authority.

SEVENTH SCHEDULE (r. 114, 127)

WATER SECTOR PROFESSIONALS AND CONTRACTORS

Part 1: CATEGORIES OF WATER SECTOR PROFESSIONALS

Panel I –Water Supply and Sanitation Consultant Engineer	
1	Construction value of over Kshs.100M
2	Construction value of up to Kshs.100M

Panel II –Irrigation Consultant Engineer	
1	Construction value of over Kshs.100M
2	Construction value of up to Kshs.100M

Panel III –Dam Consultant Engineer	
1	Class SD3 Dams
2	Class SD2 Dams
3	Class SD1 Dams

Panel IV	Hydrologist
Panel V	Hydrogeologist
Panel VI	Chemist

Part II: CATEGORIES OF CONTRACTORS

Water Supply, Sewerage, Irrigation, Electromechanical & Installation works	
Class 1	UNLIMITED
Class 2	Up to Ksh. 1,000,000,000
Class 3	Up to Ksh. 500,000,000
Class 4	Up to Ksh. 200,000,000
Class 5	Up to Ksh. 100,000,000
Class 6	Up to Ksh. 40,000,000
Class 7	Up to Ksh. 20,000,000

Dam Construction and Associated Works		
Class 1	UNLIMITED height	UNLIMITED value

Class 2	30 Meters max Height	Up to Ksh 1,500,000,000 value
Class 3	15 Meters max Height	Up to Ksh 500,000,000 value
Class 4	5 Meters Max Height	Up to Ksh 50,000,000 value

Borehole Drilling, Equipping and Servicing		
Class 1	OVER 300 depth	UNLIMITED value
Class 2	300 Meters max depth	Up to Ksh 30,000,000 value
Class 3	150 Meters max depth	Up to Ksh 10,000,000 value
Class 4	50 Meters Max depth	Up to Ksh 5,000,000 value

DESIGN AND SUPERVISION OF DAMS

Class of Dam Category of Water Sector Professional	
SD1	Panel III C1
SD2	Panel III C2
SD3	Panel III C3

PART II CATEGORY OF CONTRACTORS

Class of Dam	Category of Contractor
SD1	C4
SD2	C3
SD3	C2, C1

EIGHTH SCHEDULE (r. 137 (1))**COMPLAINTS****INFORMATION TO BE GIVEN BY A COMPLAINANT UNDER THESE REGULATIONS**

<i>Item</i>	<i>Information</i>
(a)	Name of Complainant
(b)	Contact address, telephone number, email address (if any) of Complainant
(c)	Nature and location of the problem
(d)	Date that problem occurred
(e)	Name and, if available, the contact details of all parties to the dispute or complaint
(f)	Any other relevant details
(g)	Signature of the Complainant

NINTH SCHEDULE (r. 65(1), (2))**WATER QUALITY SAMPLING PROCEDURES****PROCEDURES TO BE FOLLOWED WHERE WATER QUALITY
SAMPLE IS TAKEN FOR PROSECUTION PURPOSES**

<i>Item</i>	<i>Procedure</i>
(a)	The presence of the alleged polluter at the place and time of sampling;
(b)	Where the intended analysis is to determine compliance with physical and chemical parameters, then a sample shall be taken and divided into three portions, each contained in an appropriate capacity container and preserved according to standard practice;
(c)	Where the intended analysis is to determine compliance with microbiological parameters, then a sample shall be taken and divided into three portions, each contained in a sterile glass bottle;
(d)	All three portions will be sealed in the presence of the alleged polluter who is required to sign an acknowledgement that he has witnessed the sampling;

(e)	One portion will be provided to the alleged polluter who may obtain their own independent analysis from a <i>gazetted</i> laboratory of their choice;
(f)	One portion shall be sent by the Authority to a <i>gazetted</i> laboratory for analysis;
(g)	One portion shall be retained by the Authority for future reference provided that the storage of the sample is safe enough and the period of storage does not result in the deterioration of the sample.

TENTH SCHEDULE

APPLICATION FOR WATER PERMIT

(rr. 13(2)(4), 14(3)(a), 16(1), 17(1)(4), 20(3), 25(1), 27(1), 29(1)(5), 35, 36(1), 38(1), 39(2), 40(3), 48(1), 51(3), 52(1), 52(6), 56(1), 57(3)(4), 61(2), 81(1), 97(1)(4), 100(4), 119, 121(1), 129(1), 130(1)(3), 136(2))

WRA 001

Water Resources Authority

(To be submitted in triplicate)

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								
Attach Form	1B	1B	1B	1C	1D	1D	1E	1F

PARTICULARS OF APPLICANT	DETAILS
1. Full name of applicant(s) (In Block Letters)	
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution	

3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
5. L.R Number(s)		9. Box Number	
6. Village(s)/Ward(s)		10. Town	
7. Sub-County (s)		11. Post Code	
8. County (s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	

WATER RESOURCE DETAILS

16. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
17. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
18. Sub-catchment Number	
19. Class of Water Resource	
20. Name of Body of Water or Aquifer where effluent is to be discharged	
21. Sub-catchment Number (Effluent)	
22. Class of Water Resource (Effluent)	
23. Category of Application (Class of Permit)	

MIXING WATERS	
24. State the authorization(s) and permits already issued in respect of the water use on the land described in No. 4. (If NIL, state “Nil”, if YES, list authorisation or permit numbers).	

Note: Shaded Areas to be filled in by WRA Officials

LAND	
25. Does applicant own all the land related to the permit application? Yes/No	
26. If No, have easement(s) been attached (Yes = 1, no = 0)	
27. Does application involve land located within or adjacent to a riparian, protected or groundwater conservation area? Yes/No	
28. Is proposed activity permitted within the riparian area, protected or groundwater conservation area? Yes/No	
OWNERSHIP OF WORKS	
29. Will the applicant own all the works related to the permit application?	
30. If No, have agreement(s) been obtained from owner(s) of all works and these agreements are adequate and are attached (Yes/ No)	
SUPPLEMENT TO PERMIT/AUTHORISATION	
31. Is application made under Section 21 of WRA Rules? Yes/No	
32. Provide Permit Number for Main Permit	

QUANTITY WATER REQUIRED

33. Brief Description of Project and Intended Use for Water		
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Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			
		River - Normal Condition	River - Flood Condition	River - Regulated Flows	Lake
34. Public					
35. Domestic					
36. Livestock					
37. Subsistence Irrigation					
38. Commercial Irrigation					
39. Industry/ Commercial					
40. Hydropower					
41. Others					
42. Sub-total					
43. Quantity Returned					
44. Water Used (row 41-row 42)					
45. Effluent Discharge					

PERIOD OF CONSTRUCTION

46. State the estimated period of construction of the works (months)	
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47. State the period for which the permit is required (year – maximum 5 years)	
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DESCRIPTION OF WATER USE

DOMESTIC

Population to be served (number of people)	
Basic Human Needs (m ³ /day)	
Domestic Water Demand (m ³ /day)	

LIVESTOCK

Type of Livestock	Number of Animals
Number of Grade Cattle	
Number of Local Cattle or donkeys	
Number of goats & sheep	
Number of camels	
Other	

PUBLIC PURPOSE

Supply Area (km ²)	
Population to be served	

SUBSISTENCE IRRIGATION – Water for Household Food Security

Number of connections	
Area per connection (ha)	

Total Irrigated Area (ha)	
Expected Rate of Water Use m ³ /ha/day	
Total Expected Water Requirements (m ³ /day)	

COMMERCIAL IRRIGATION

Type of Crop (hectares)	Type of Production System (Outdoor, GH, hydroponics)	Type of Irrigation Technology (overhead, micro-sprinkler, drip)	Expected Rate of Water Use m ³ /ha/day	Total Expected Water Requirements (m ³ /day)
TOTAL				

INDUSTRIAL

Number of Persons Employed			
Type of Industry (tick whichever is appropriate)			
Food Processing		Pulping (Coffee, sisal, sugar,)	
Horticultural Packaging		Tea	
Chemical Manufacturing		Bottling	
Tanning		Others (state type)	
Water Requirements			
Water required for Plant/Processing (m ³ /day)			
Water required for Sanitation Facilities (m ³ /day)			

Water required for other purposes (m ³ /day)	
Total Water Requirements (m ³ /day)	

POWER

Maximum static head (m)	
Expected Power Generated (KV _a -hr) at Maximum Static Head	

OTHER USES

Fishponds (volume – m ³)		
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FEES SUBMITTED

Category A, B, C or D Application	Fees for Examination of Application
AMOUNT PAID	
Receipt Number	

ATTACHMENTS	Attached (Yes/No)	Comments/Remarks
Form 1B		
Form 1C		
Form 1D		
Form 1E		
Form 1F		
Copy of Identification Documents		
Copy of Land Documents		

Copy of Agreements on Land Use		
Copy of Agreements on Use of Water Works		
Relevant Maps		
Copy of EIA Licence		
Site Assessment Report		
Technical Reports		
Hydrological Assessment Report		
Hydrogeological Survey Report		
Technical Design Report		
Dam Design Report		
Effluent Discharge Control Plan		
Soil and Water Conservation Plan		
Copy of Receipt for Payment		
WRUA Comment Form		

I agree to supply any further information which may be required by the Water Resources Authority.

SIGNATURE

Signature of Applicant or duly Authorised Agent	
Name	
Date of Application	

SIGNATURE OF WRA OFFICIAL RECEIVING APPLICATION

Signature of WRA Official	
Name	
Position	
Date Application Received	

OFFICIAL SECTION

(To be filled in by WRA officials)

	Tick	Date	Officer
Submission			
WRUA advice received			
Recommended			
Rejected			
Conditional Recommendation			
BWRC advice received			
Recommended			
Rejected			
Conditional Recommendation			
WRA National Office (Category D)			
Recommended			
Rejected			
Conditional Recommendation			

WRA Regional Office			
Recommended			
Rejected			
Authorisation			
Issue of Authorisation			
Validity Period (months)			
Expiry			
Extension of Validity Period (months)			
Revised Expiry Date			
Inspection of Final Completion			
Date of Issue of Permit			
Date of Expiry of Permit			

The Chief Executive Officer,

Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI



Form: WRA 002

Catchment: _____

USER ID: _____

File: _____

SURFACE WATER - ABSTRACTION, DIVERSION, IN-STREAM AND CONVEYANCE WORKS

Grid Reference for Works (UTM, based on ARC1960 Datum, Zone 36/37)	
Easting	

Northing	
Altitude (m above sea level)	
Map Sheet	
Details of Site Datum	
Grid Reference for Datum (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
Description of Datum	
Weir (1) or Collection Chamber (2)	
Dimensions	
Width/diameter (m)	
Length (m)	
Height (m)	
Materials	
Compensation Flow Capacity (m ³ /day)	
Pump	
Type of Pump	
Type of driving machine	

Power source of driving machine (diesel, electric, wind, water)	
Maximum Power rating (KVa)	
Expected operating head (m)	
Delivery Rate at expected operating head (m ³ /hr)	
Expected operating hours (hrs)	
Canal	
Length (m)	
Top width (m)	
Bottom width	
Lined or unlined	
Lining material	
Gradient (m/100m or %)	
Maximum velocity (m/s)	

The Chief Executive Officer,

Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI



Form: WRA 002

Catchment: _____

USER ID: _____

File: _____

Maximum Capacity (m ³ /day)	
Pipeline	
Internal diameter of delivery pipe	

Material	
Length (m)	
Maximum Capacity (m ³ /day)	
Any other relevant details	

APPLICATION FOR STORAGE DAMS

Name of dam	
Class of Dam (A, B or C)	
Grid Reference for Dam (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
Details of Site Datum	
Grid Reference for Datum (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	

Description of Datum	
Spillway	
Catchment Area (km ²)	
Design Flood (m ³ /s)	
Return Period for Spillway Design (1 in ... years)	
Material of outflow channel	
Dimensions at control	
Width (m)	
Length (m)	
Height (m)	
Embankment	
Material (earth, concrete, masonry, others)	
Dimensions	
Width at Crest (m)	

The Chief Executive Officer,

Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI



Form: WRA 002

Catchment: _____

USER ID: _____

File: _____

Length at Crest (m)	
Upstream slope (1 to ...)	

Downstream slope (1 to ...)	
Maximum Depth of Water (Measured from bed to normal water level) (m)	
Maximum Height of Embankment (m)	
Gross Freeboard (m)	
Net Freeboard (m)	
Impoundment	
Estimated Area at Normal Water Level (m ²)	
Estimated Impounded Volume (m ³)	
Other Details	
Maximum Drawoff Capacity (m ³ /day)	
Maximum Compensation Flow capacity (m ³ /day)	

GROUNDWATER - WELLS/BOREHOLES

Grid Reference for Abstraction Point (UTM, based on ARC1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	

Is the well or borehole within a distance of 100m of a body of surface water?		
List all Wells/Boreholes within 1000 m of proposed site	L.R. Number	Distance (m)
Expected Yield (m ³ /hr)		
Intended Depth of excavation or drilling (m)		
Intended Diameter of excavation or drilling (mm)		
Expected Type of drawoff works (tick as appropriate)		

The Chief Executive Officer,

Water Resources Authority,

P. O. Box 45250 - 00100

NAIROBI



Form: WRA 002

Catchment: _____

USER ID: _____

File: _____

Handpump - Type	
Windpump - Type	

Electric pump	
Direct drive	
Windlass	

APPLICATION FOR EFFLUENT DISCHARGE

Grid Reference for Effluent Discharge Point (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
Source of water supply	
Source of Effluent (domestic, institutions, industrial, agricultural, urban)	
Mode of discharge (pipe, canal, ..)	
Maximum Daily Effluent discharge (m ³ /day)	
Details of Treatment System	
Chemical	
Settling	
Anaerobic digesters	
Oxidation or aerated ponds	
Natural or constructed Wetland	

Other (specify)	
Retention time (days)	
Nature of Pollutants (Chemical, biological, Physical)	

EFFLUENT QUALITY

Parameter	Units	Value
BOD (5 days at 20°C)	mg/	
COD	mg/l	
Total Dissolved Solids	mg/l	
pH	pH scale	
Temperature	°C	
Total Coliforms	Counts /100ml	

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P. O. Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

Turbidity or colour	NTU/ Hazen	
Ammonia - NH ₃	mg/l	
Ammonium-NH ₄	mg/l	
Nitrite - NO ₂	mg/l	

Nitrate-NO ₃	mg/l	
Total Phosphorous	mg/l	
Total Nitrogen	mg/l	
Total suspended solids	mg/l	
Metals	mg/l	
Non metal toxics (sulphides, cyanides, fluorides)	mg/l	
Pesticide residues	µg/l	
Phenols	mg/l	
Oils and grease	mg/l	
Others		

APPLICATION FOR SWAMP DRAINAGE

Name of swamp	
Size of swamp to be drained (ha)	
Purpose of swamp drainage (agricultural, residential, recreational, public health, industrial, abstraction)	
Means of swamp drainage (tick as appropriate)	
Channelling or canalisation of flows	
Diversion of inflow	
Expected % of inflow waters to be diverted	

Construction of drainage canals or drainage pipes	
Expected reduction in water level in swamp (m)	

Note: Form WRA 001B is required to be filled if swamp drainage is planned in conjunction with water abstraction or diversion

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

EFFLUENT DISCHARGE PERMIT

PERMIT CLASS-----

FACILITY AND EFFLUENT DISCHARGE DESCRIPTION

<i>Name and Location of Facility</i>	
Activity of Facility	
WRA's Facility Classification (FC1 or FC2,,,))	
Effluent Discharge Receiving Water Resource (River, Lake, Dam, etc)	
Effluent Discharge Receiving Water Resource's Quantity Threshold-WRA	
Effluent Discharge Receiving Water Resource's Quantity Threshold-WRA	
WRA's Effluent Discharge Points (EDPs)	
Grid Reference for Effluent Discharge Point	
Easting	

Northing	
Altitude (m above sea level)	
Map Sheet	
Mode of discharge (pipe, canal)	
Daily Effluent discharge (m ³ /day)	
Basis: description of how the average waste water flow has been determined	
Hours of discharge: Number of days per week & hours per day's	
List of process raw materials utilised and wastes generated on site	
Details of Treatment System	
Chemical	
Settling	
Anaerobic digesters	
Oxidation or aerated ponds	
Natural or constructed Wetland	
Other (specify)	
Retention time (days)	
Nature of Pollutants (Chemical, Biological, Physical)	
A list of the potential impacts on the environment and the proposed mitigation methods to be used	
Details of any emergency/spillage control arrangements	

State if there any seasonal, or other variations (including any arising from plant malfunction) in volumes of effluent to be discharged	
---	--

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

Attach a sketch plan showing fencing and drainage, storage area for liquid, sludge, solid waste awaiting treatment and residue awaiting removal for disposal elsewhere

EFFLUENT DISCHARGE QUALITY

<i>Compulsory Parameter</i>	<i>Units</i>	<i>Value</i>
BOD (5 days at 20°C)	mg / l	
COD	mg / l	
Electrical Conductivity (EC)	µS/cm	
Total Dissolved Solids (TDS)	mg/l	
pH	pH scale	
Temperature	°C	
Feacal coliforms	Counts/100 ml	
Total Coliforms	Counts / 100 ml	
Flow rate	m ³ /day	
Colour	Hazen Units	
Total Suspended Solids (TSS)	mg/l	

Chemical Parameters		
Sulphate (SO ₄)	mg/l	
Sulphides, (S ₂)	mg/l	
Phenols	mg/l	
Fluorides (F)	mg/l	
Chlorides (Cl)	mg/l	
Free CO ₂	mg/l	
Ammonium-NH ₄	mg/l	
Nitrite - NO ₂	mg/l	
Nitrate-NO ₃	mg/l	
Total Phosphorous (P)	mg/l	
Total Nitrogen (N)	mg/l	
Potassium (K)	mg/l	
PCBs	mg/l	
Total Petroleum Hydrocarbons (TPH)	mg/l	
Oils and grease	mg/l	
Surfactants	mg/l	
Heavy Metals (Cd, Cu, Pb, Zn, Al, Se, As, Sn, Mn, Co, Fe,)	mg/l	
Pesticide residues	µg/l	

WRA's Accruing Quality Points (AQPs)		
--------------------------------------	--	--

EFFLUENT DISCHARGE CLASSIFICATION AND CHARGES

WRA's Pollution Loading Points (EDP × AQP=PLP)	
WRA's Class of Permit	
Effluent Discharge Charge (cents/m ³)	

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P.O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

Water Resources Authority
APPLICATION FOR EASEMENT
 (r. 13(2))

(To be submitted in triplicate)

PARTICULARS OF APPLICANT	DETAILS
1. Full name of applicant(s) (In Block Letters)	
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution	

3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
5. L/R Number(s)		9. Box Number	
6. Village(s)/Ward(s)		10. Town	
7. Sub-County(s)		11. Post Code	
8. County(s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	

In respect of an easement of aqueduct in connection with the passage of water from the..... [Description and name of body of water] across the property..... [description of property] and in respect of an easement of work in connection with the water from the..... [body of water] at the point shown on the plan attached hereto and in respect of an easement of storage in connection with water from the.....[body of water]

1. The applicant named above is the landholder [or agent lawfully authorized by the landholder] of the property..... [Description of property and L.R. (Nos) offarms (if any) and / or mining locations or leases]

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

2. The applicant bases his claim for the easement on the following grounds¹

.....

.....
.....
.....

3. The accompanying plan[s] marked..... Show the general arrangement, the nature and locality of the proposed works and the land or lands on which [an] easement[s] is [are] now required and the area[s] within the lines showing red on the said plan is [are] the maximum area[s] over which the easement[s] now applied for is [are] required.

4. (a) The following is a description of the work[s] in respect of which [an] easement[s] is [are] now required².....

.....
.....
.....
.....
.....

(b) The maximum quantity of water to be conveyed or dealt with by the aqueduct is..... cubic meters per day.

(c) The position of the dam and the storage reservoir are shown on the plan marked..... and the blue line thereon shows the approximate area which will be submerged at high flood level of the reservoir, and the red line shown on the said plan shows the limit of area over which easement is claimed.

(d) The easement of aqueduct is required for a period of.....

5. (a) The following is a description of the work[s] in respect of which [an] easement[s] of work is [are] required³.....

¹ Here give the number of any authorization, or permit which applicant holds and all other information on which the claim is based. Show that the claim is made in good faith and that, without the easements, the utilization of water would not be economically feasible.

² Here give brief description, with dimensions, of the proposed aqueduct and state the area of the land over which the easement is claimed.

³ Here give brief description, with dimensions, of the proposed weir or other work and state the area of land over which the easement is claimed.

The Chief Executive Office



Form WRA 002

Water Resources Authority,

Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

.....
.....
.....
.....

(b) The quantity and nature of materials required from the land referred to in paragraph (a) above for the purpose of constructing the proposed works are as follows:—

.....

(c) The easement of work is required for a period of

.....

6. (a) The following is a description of the work[s] in respect of which [an] easement [s] of storage is [are] required⁴

.....
.....
.....
.....

(b) The positions of the dam and the storage reservoir are shown on the plan marked.....

And the blue line thereon shows the approximate area that will be submerged at high flood level of the reservoir, and the red line shown on the said plan shows the limit of area over which easement is claimed.

(c) The quantity and nature of materials required from the land for the purpose of constructing the proposed works referred to in paragraph (a) above are as follows: -

.....
.....

(d) The easement of storage is required for a period of

.....

7. On the schedule attached to this form is set forth the names of the landholders, mortgages and lessees of the property over which the easement is claimed.

8. In accordance with Section 28 of the Act, notice with full particulars of the proposed works was given not less than two months before the date of this application given to all the landholders, mortgages and lessees named in the said schedule with the result shown in the attached Schedule:

9. I have served a copy of this claim on all the landholders, mortgages and lessees mentioned in the attached Schedule.

⁴ Here give brief description, with dimensions, of proposed storage works and state the area of land over which the easement is claimed.

The Chief Executive Office

Form WRA 002

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

I enclose herewith Bankers Cheque No..... of Ksh..... cents..... for an examination of this application. I understand that the fee does not cover the preparation of the necessary deed in the event of my application being successful.

.....

Signature.

AFFIDAVIT

I of..... do solemnly and sincerely declare as follows:-

I have read the foregoing and the particulars and things set out therein are true and accurate.

I make this declaration conscientiously believing the same to be true, and according to the oaths and Statutory Declarations Act.

Sworn at.....
.....

This..... day of.....
20.....

Before me,

.....

*(Magistrate or
Commissioner for
Oaths.)*

NOTES

1. The applicant shall fill in the blank spaces in this form with the required information, and, where alternative expressions are given, he shall strike out those, which do not apply.
2. The area of land over which the easement is claimed must include the area of land, if any, occupied by the works, flooded as a result of the works, required for purposes of inspection and maintenance of the

works, required for the excavation or collection of material for the works, required for the deposit of spoil or material derived from the works or required for a road or roads to obtain access to the works.

- The plans submitted must show clearly any works, irrigated and / or cultivated areas, roads, buildings and / or any other features which will be affected if the easement applied for is granted, and the area of swamp or land to be reclaimed.

The Chief Executive Officer,

Form WRA 002

Water Resources Authority,



Catchment: _____

P.O Box 45250 - 00100

WRA ID: _____

NAIROBI

File: _____

SCHEDULE OF LANDHOLDERS, MORGAGEES AND LESSEES

Attached to the application of For easement of..... dated.....20.....

(Use additional sheets if required)

Reference Number of Property (consecutively on plan)	L.R. No. of property on whom notice of mining location or property	Name of person on whom notice has been served	State whether landholder or sub-lessee	Postal address of landholder or sub-lessee	Area of easement required (area in acres)	Amount of compensation tendered to landholder or sub-lessee	Purpose for which easement is required	Does the person agree to the claim for easement (Yes/No)	Signature of landholder or sub-lessee	Date of signature

The Chief Executive Officer,

Grid Reference for Works

Form: WRA 003

Water Resources Authority,



Catchment: _____

P.O. Box 45250 – 00100

Easting: _____

Catchment: _____

NAIROBI

Northing: _____

WRA ID: _____

Zone: _____

File No: _____

Water Resources Authority

**COMMENTS BY WATER RESOURCES USERS ASSOCIATION
ON APPLICATION FOR WATER PERMIT (r. 20(3))**

(To be submitted in triplicate)

NAME OF WRUA			
PARTICULARS OF PERMIT APPLICANT			
1. Full name of applicant(s) (In Block Letters)		2. WRA ID Number of Applicant	
3. Box Number		4. Town	
5. Telephone Contact (Landline)		6. Telephone Contact (Mobile)	
7. Email Contact			

WATER RESOURCE DETAILS

Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored.	
---	--

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		

Tick Box									
----------	--	--	--	--	--	--	--	--	--

WRUA COMMENTS	ANSWER / COMMENTS
1. Application was discussed by WRUA on (date)	
2. Is proposed application for water use likely to severely impact dry season flows?	

The Chief Executive Officer,

Form WRA 003

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

USER ID: _____

NAIROBI

File No: _____

3. Is proposed application for water use likely to severely impact water quality?	
4. Is proposed application for water use likely to put public at risk?	
5. Is proposed application likely to increase the risk of water use conflicts?	
6. Is proposed application for water use considered beneficial to the public?	
7. Is there an alternative water source for the applicant that should be considered? (provide details)	
8. WRUA Conclusion (<i>Objection, No objection, or Conditional No-Objection, or unable to make a conclusion due to lack of information</i>)	
9. Reasons for Objection or Conditions for No-Objection	

SIGNATURE BY TWO WRUA OFFICIALS

Name of WRUA Official		
Position		
Signature of WRUA Official		
Date of Signature		

Note: recommendation by WRUA does not confer or imply a Permit for water abstraction to the Applicant.

The Chief Executive
Officer,

Water Resources
Authority,

P.O. Box 45250 – 00100

NAIROBI



Grid Reference for Works

(UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 004

Catchment: _____

WRA ID: _____

File No: _____

Water Resources Authority

AUTHORISATION TO CONSTRUCT WORKS FOR THE USE OF WATER

(rr. 25(1), 52(6))

Dear Sir/Madam;

I have the honour to inform you that the Water Resources Authority has given you approval to construct the proposed works based on your application dated _____ for a Water Permit.

Authorization No. WRA		Dated	
-----------------------	--	-------	--

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In - stream Works	Storage	Shallow well	Borehole		

Tick Box								
----------	--	--	--	--	--	--	--	--

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)		2.	
3. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
4. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
5. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
6. L/R Number(s)		7. Box Number	
8. Village(s)/Ward(s)		9. Town	
10. Sub-County(s)		11. Post Code	
12. County(s)		13. Telephone Contact (Landline)	
14. Division(s)		15. Telephone Contact (Mobile)	
16. District(s)		17. Email Contact	

The Chief Executive Officer

Form WRA 004

Water Resources Authority,

Catchment: _____

P. O. Box 45250 - 00100



WRA ID: _____

NAIROBI

File No: _____

WATER RESOURCES DETAILS

18. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
19. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
20. Sub-catchment Number	
21. Class of Water Resource	
22. Name of Body of Water or Aquifer where effluent is to be discharged	
23. Sub-catchment Number (Effluent)	
24. Class of Water Resource (Effluent)	
25. Category of Application (Class of Permit)	
Supplement to Permit/ Authorisation	
26. Are there any supplements approved under Section 21 of WRA Rules (yes/no)	
27. Supplement No.	

28. Brief Description of Project and Intended Use for Water					
Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			
		River - Normal Condition	River - Flood Condition	River - Regulated Flow	Lake
29. Public					
30. Domestic					
31. Livestock					

32. Subsistence Irrigation					
33. Commercial Irrigation					
34. Industry/ Commercial					
35. Hydropower					
36. Others					
37. Sub-total					
38. Quantity Returned					

The Chief Executive Office

Form WRA 004

Water Resources Authority,



Catchment: _____

P.O. Box 45250 - 00100

WRA ID: _____

NAIROBI

File: _____

39. Water Abstracted (row 34-row 35)				
40. Effluent Discharge				

Having filed the necessary application, maps and plans, and having complied with the provisions of the Water Act, Cap. 372 and the Rules there under relating to the applications for Water Permits *is/are hereby authorized to construct, subject to the acquisition of the necessary rights of way or easements therefore, if any, the works shown by the said applications, maps and plans in accordance with provisions of the Water Act, Cap. 372 the Rules there under, and the following conditions: -

1. The construction of the works hereby authorized shall commence within a period of.....days/months/years and shall be completed within a period of.....months/years from the date of this authorization.
2. (a)Any person who erects or constructs temporary works shall be entitled to divert, abstract, impound, obstruct, store or use water to such extent only as may be necessary for the construction or erection of the works, and whenever it shall be necessary to divert, abstract or impound water during the erection or construction of the works authorized, such diversion, abstraction, obstruction, impounding, or use of water shall be made at such time and in such manner that the works of other operators are interfered with as little as possible and that no damage will be

caused to property of another landholder. Provided that if any damage is caused it shall, failing agreement between the parties concerned, be settled by arbitration under the Arbitration Act.

(b) Unless empowered thereto by the Water Resources Authority in writing, all temporary works shall be removed within a period of three months from the date of completion of the works authorized or from the date of determination of the authorization (whichever be the earlier) and where any temporary works exist, such as quarries, burrow-pits, excavations, cuttings, tunnels or things of a like nature which cannot be economically removed, efficient precautions to the satisfaction of the Water Resources Management Authority shall be taken, by the person named in the authorization, to render and to maintain all such temporary works safe in the interest of life and property.

The Water Resources Authority reserves the right to inspect the works authorized by this authorization, and attention is drawn to section 90 of the Act.

3. Any changes between the original proposed design and final as-constructed arrangement has been documented and such documentation submitted to the Authority.

*Delete words not required

The Chief Executive Officer,

Form WRA 004

Water Resources Authority,



Catchment: _____

P.O Box 45250 - 00100

USER ID: _____

NAIROBI

File: _____

P[;k-j	DETAILS
Measuring device	
Controlling device	
Water Quality Report	
Evidence of EMCA Compliance	
Soil and Water Conservation Plan	
Compensation Flow (m3/day)	
Inspection Milestones	
1	
2	

3	
4	
Notification Requirements	
1	
2	
3	
4	
Storage	
Airline	
Test pumping	
Other Technical Details	
Effluent Discharge Requirements	

4. This Authorization will be automatically cancelled, when the authorized period expires, without any further reference to you unless extension of time limit is applied for prior to date of expiry.
5. The following details/documents/fees are required to complete your application before a Permit may be issued:
 - (a)
 - (b)
 - (c)

SIGNATURE

Yours faithfully,

The Chief Executive Office

Form WRA 004

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

WRA ID: _____

NAIROBI

File: _____

Signature of WRA Officer	
Name of Officer	
Position	
Date of Signature	

The Chief Executive Office

Form WRA 005

Water Resources Authority,



Grid Reference for Works (UTM Arc 1960)

Easting: _____

Catchment: _____

P.O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

**APPLICATION FOR EXTENSION OF TIME FOR
AUTHORISATION TO CONSTRUCT WORKS**

(r.27(1))

(To be submitted in triplicate)

I, (name)....., being the holder of Authorisation No., do hereby apply for an extension of time in order to complete the proposed works.

I confirm that all other particulars of the Authorisation remain the same.

The need to extend the period of time has been caused by (state cause)

.....

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF PERMIT APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)		2.	
3. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
4. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
5. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
6. L/R Number(s)		7. Box Number	
8. Village(s)/Ward(s)		9. Town	
10. Sub-County(s)		11. Post Code	

The Chief Executive Office

Form: WRA 005

Water Resources Authority,



Catchment: _____

P. O. Box 45250 - 00100

USER ID: _____

NAIROBI

File No: _____

12. County(s)		13. Telephone Contact (Landline)	
14. Division(s)		15. Telephone Contact (Mobile)	
16. District(s)		17. Email Contact	

WATER RESOURCE DETAILS

18. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
19. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
20. Sub-catchment Number	
21. Class of Water Resource	
22. Name of Body of Water or Aquifer where effluent is to be discharged	
23. Sub-catchment Number (Effluent)	
24. Class of Water Resource (Effluent)	
25. Status of Water Resource (Effluent)	
26. Category of Application (Class of Permit)	

FEES SUBMITTED

Category A, B, C or D Class Application	
Application Fees for Extension of Time of Authorisation	
Receipt Number	

Time Period for Construction	
Initial Authorisation Issued on (date)	
Authorisation Expiry Date	
Proposed Revised Authorisation Expiry Date	
Number of Times that Period of Authorisation has been revised	

SIGNATURE

Signature of Applicant or duly Authorised Agent	
Name	

The Chief Executive Office

Form WRA 005

Water Resources Authority,



Catchment: _____

P. O Box 45250 - 00100

WRA ID: _____

NAIROBI

File: _____

SIGNATURE OF WRA OFFICIAL RECEIVING APPLICATION FOR EXTENSION OF TIME OF AUTHORISATION

Signature of WRA Official	
---------------------------	--

Name	
Position	
Date Application for Renewal Received	

OFFICIAL SECTION

(To be filled in by WRA officials)

WRA Action	Decision	Date	Comment/Reference
Time Extension Accepted			
Rejected			
Conditional Acceptance			
Authorisation Valid until (date)			

The Chief Executive Office

Water Resources Authority,

P.O. Box 45250 - 00100

NAIROBI



Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 006

Catchment: _____

WRA ID: _____

File: _____

Water Resources Authority

EXTENSION OF TIME LIMIT FOR AN AUTHORISATION

(r. 27(2))

The period within which the works authorized by Authorization No P _____ dated _____ issued to _____

Shall be completed is hereby extended, subject to the conditions endorsed on the above-mentioned authorization and to the under mentioned conditions, to the (date) _____:

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
5. L/R Number(s)		6. Box Number	
7. Village(s)/Ward(s)		8. Town	
9. Sub-County(s)		10. Post Code	

The Chief Executive Office



Water Resources Authority,

P.O Box 45250 - 00100

NAIROBI

Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 006

Catchment: _____

WRA ID: _____

File No: _____

11. County(s)		12. Telephone Contact (Landline)	
13. Division(s)		14. Telephone Contact (Mobile)	
15. District(s)		16. Email Contact	

WATER RESOURCE DETAILS

17. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
18. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
19. Sub-catchment Number	
20. Class of Water Resource	
21. Name of Body of Water or Aquifer where effluent is to be discharged	
22. Sub-catchment Number (Effluent)	
23. Class of Water Resource (Effluent)	
24. Category of Application (Class of Permit)	

This Extension of Time Limit is issued subject to the special conditions shown below:

- 1.
- 2.
- 3.

SIGNATURE

Yours faithfully,

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 006

Water Resources Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File: _____

Signature of WRA Officer	
Name of Officer	
Position of Officer	
Date of Signature	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 007

Water Resources Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 - 00100

Northing: _____

USER ID: _____

NAIROBI

Zone: _____

File: _____

Water Resources Authority

INSPECTION REPORT

(r. 29(3))

Type of Water Use	Surface Water	Groundwater	Effluent Discharge	Swamp Drainage
-------------------	---------------	-------------	--------------------	----------------

	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF OWNER OF WORKS OR LAND INSPECTED		DETAILS	
1. Full name of applicant(s) (In Block Letters)		2.	
3. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
4. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
5. PIN Number (where available)			
Physical Address where water is to be used		Contact Address Owner of Works or Land Inspected	
6. L/R Number(s)		7. Box Number	
8. Village(s)/Ward(s)		9. Town	
10. Sub-County(s)		11. Post Code	
12. County(s)		13. Telephone Contact (Landline)	
14. Division(s)		15. Telephone Contact (Mobile)	
16. District(s)		17. Email Contact	

WATER RESOURCES DETAILS

18. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
--	--

19. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
---	--

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 007

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File: _____

20. Sub-catchment Number	
21. Class of Water Resource	
22. Name of Body of Water or Aquifer where effluent is to be discharged	
23. Sub-catchment Number (Effluent)	
24. Class of Water Resource (Effluent)	
25. Category of Application (Class of Permit)	

QUANTITY WATER AUTHORISED/PERMITTED

26. Description of Project and Intended Use for Water					
Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			
		River - Normal Condition	River - Flood Condition	River – Regulated Flow	Lake
27. Public					

28. Domestic					
29. Livestock					
30. Minor Irrigation					
31. General Irrigation					
32. Industry/ Commercial					
33. Power					
34. Others					
35. Sub-total					
36. Quantity Returned					
37. Water Abstracted (row 42-row 44)					
38. Effluent Discharge					

Remarks regarding status, condition, compliance of works with authorisation or permit conditions	
Recommended Action to be taken by Owner of Works	

The Chief Executive Office

Water Resources Authority,

P. O. Box 45250 - 00100



Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Form WRA 007

Catchment: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Recommended Action to be taken by WRA	
---------------------------------------	--

SIGNATURE OF WRA OFFICIAL

Signature of WRA Official	
Name	
Position	
Date Inspection Undertaken	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 008

Water Resources Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

COMPLETION CERTIFICATE

(r. 29(1))

(To be submitted in triplicate)

I, (name)....., being the holder of Authorisation to Construct Works No., do hereby state that the proposed Works have been constructed in accordance with the conditions contained in the Authorisation. Any changes between the original proposed design and final asconstructed arrangement has been documented and such documentation submitted to the Authority.

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	Instream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used (see sketch)		Contact Address of Applicant	
5. L/R Number(s)		6. Box Number	
7. Village(s)/Ward(s)		8. Town	
9. Sub-County(s)		10. Post Code	
11. County(s)		12. Telephone Contact (Landline)	
13. Division(s)		14. Telephone Contact (Mobile)	
15. District(s)		16. Email Contact	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 008

Water Resources Authority, Easting: _____ Catchment: _____
 P.O. Box 45250 - 00100 Northing: _____ WRA ID: _____
 NAIROBI Zone: _____ File No: _____

WATER RESOURCE DETAILS

17. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
18. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
19. Sub-catchment Number	
20. Class of Water Resource	
21. Name of Body of Water or Aquifer where effluent is to be discharged	
22. Sub-catchment Number (Effluent)	
23. Class of Water Resource (Effluent)	
24. Category of Application (Class of Permit)	

QUANTITY WATER REQUIRED

25. Description of Project and Intended Use for Water					
Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			Lake
		River - Normal Condition	River - Flood Condition	River – Regulated Flow	
26. Public					

27. Domestic					
28. Livestock					
29. Subsistence Irrigation					
30. Commercial Irrigation					
31. Industry/ Commercial					
32. Hydropower					
33. Others					
34. Sub-total					
35. Quantity Returned					
36. Water Abstracted (row 33 - row 34)					
37. Effluent Discharge					

The Chief Executive Office

Water Resources Authority,

P.O. Box 45250 - 00100

NAIROBI

SIGNATURE



Grid Reference for works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 008

Catchment: _____

WRA ID: _____

File No: _____

Signature of Applicant or duly Authorised Agent	
Name	
Date of Application	

SIGNATURE OF WRA OFFICIAL RECEIVING COMPLETION CERTIFICATE

Signature of WRA Official	
Name	
Position	
Date Application Received	

The Chief Executive Office



Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI

Grid Reference for works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 008A

Catchment: _____

WRA ID: _____

File No: _____

Water Resources Authority

BOREHOLE COMPLETION RECORD

(r. 56(1), 57(3)(4))

(To be submitted in triplicate)

Borehole No.....

Borehole Name.....

Formation.....

PARTICULARS OF APPLICANT	DETAILS
--------------------------	---------

1. Full name of applicant(s) (In Block Letters)			
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
Physical Address where water is to be used (see sketch)		Contact Address of Applicant	
4. L/R Number(s)		5. Box Number	
6. Village(s)/Ward(s)		7. Town	
8. Sub-County(s)		9. Post Code	
10. County (s)		11. Telephone Contact (Landline)	
		12. Telephone Contact (Mobile)	
		13. Email Contact	
PARTICULARS OF CONTRACTOR			
14. Box Number		Licence Number	
15. Town		<i>Gazetted On</i>	
16. Post Code		Drilling Supervisor	
17. Telephone Contact (Landline)		Type and Make of Drill Rig	
18. Telephone Contact (Mobile)			
19. Email Contact			
INTENDED USE OF WATER			

Public W.S.; Irrigation.; Industries.; Domestic.; Stock, other	
--	--

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form WRA 008A

Water Resources Authority,

Easting: _____

Catchment: _____

P O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

PARTICULARS OF BOREHOLE					
<i>Type of Borehole:</i> - Drilled; Driven; Bored; Jetted; Other					
<i>Borehole Construction</i> (also see sketch page 3)					
Drilling started (date)		Drilling completed (date)		All work completed (date)	
Total Depth: Reported (m)		Measured (m)		Final (back-filled) Depth (m)	
Hole Diameter (mm)		From (m)		To (m)	
Hole Diameter (mm)		From (m)		To (m)	
Hole Diameter (mm)		From (m)		To (m)	
Hole Diameter (mm)		From (m)		To (m)	

Permanent Casing			
------------------	--	--	--

Plain									
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Slotted or Perforated:									
Size and Description of Openings									
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Screen:									
Type and Make									
Diameter (mm)		Length (m)		set from (m)		To (m)			

The Chief Executive Office

Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI



Grid Reference for works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 008A

Catchment: _____

WRA ID: _____

File No: _____

Gravel Pack					
Size of grains (mm)		Roundness (good, fair, poor)		Volume inserted in annular Space (m ³)	
		From (m)		To (m)	
Open Hole					
Diam (mm)		From (m)		To (m)	
Aquifer					
1 st Water Struck at (m)			Water Rest Level (m)		
2 nd Water Struck at (m)			Water Rest Level (m)		
Main Aquifer Struck at (m)			Water Rest Level (m)		
Water bearing material		From (m)		To (m)	
Other Aquifers, Remarks, etc (also see log on page 3)					
Yield: SWL (m)		PWL (m below surface)		Discharge (litres per minute)	
After pumping (hours)			Recovered to SWL in (minutes)		
Expected production discharge (litres per hour)			With pump set at (m below surface)		
<i>Pumping Test Record in Summary (Detailed test records on attached sheets): (all depth measurements to be in metres below ground surface)</i>					

	Test No. 1	Test No. 2
Date of Test (day, month, year)		
Depth of Borehole at time of test (m)		
Water Entry (perforations or screen setting at time of test)	From (m)	From (m)
	To (m)	To (m)
Static Water (SWL) before test (m)		
Type of Pump (Bailer) used		
Depth of Pump intake (m)		
Discharge (in litres per minute)		
Pumping Water Level (PWL m)		

The Chief Executive
Office



Water Resources
Authority,

P. O Box 45250 - 00100

NAIROBI

Grid Reference for
works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form WRA 008A

Catchment: _____

WRA ID: _____

File No: _____

After pumping continuously for (hours)		
Time of Recovery to Original SWL (minutes)		
Rate of Recovery-WL after 5 minutes (m)		

Rate of Recovery-WL after 20 minutes (m)		
Rate of Recovery-WL after 60 minutes (m)		
Rate of Recovery-WL after 180 minutes (m)		

(Additional pumping tests to be mentioned in REMARKS and included with file).

Government representative witnessing the test.....

Quality of Water				
Sample (Yes/No)		Collected at (hour)		On (date)
Sediment		Taste		Odour
Colour		Temperature (0c)		Spec. Conductivity (mho/cm ³)

<i>Remarks: (drilling difficulties, gravel-pack details, all pertinent information about the drilling and completion of the hole)</i>	
---	--

<i>Drilling Supervisor</i>		<i>Drilling Contractor</i>	
Signature		Signature	
Name		Name	
Date		Date	

Borehole No.....

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008A

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 -
00100

Northing: _____

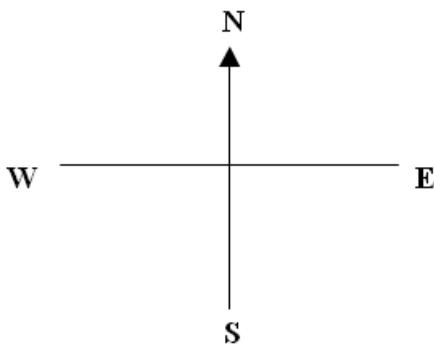
WRA ID: _____

NAIROBI

Zone: _____

File: _____

13. *Location Sketch:* (To be sketched by the driller on the site, showing roads, tracks an prominent land marks, with road distances t nearest town or trading centre and to water source).



For Official Use Only

Entered on Schedule.....(Yes/No) Water Sample Received.....(Yes/No)

Drilling Samples Received.....(Yes/No) Chemical Analysis Received..... (Yes/No)

Drilling Samples Filed.....(Yes/No) Geologist’s Log Available.....(Yes/No)

Location Plotted on Maps.....(Yes/No)

Hydro geological Report No.....of.....

(Date)

Geophysical Curve No.....of.....

(Date)

Borehole Data entered and checked by (Name).....Signature.....

Permit details

Permit Number Authorised abstraction m³/d

Authorised water use(s)

Pump intake depth m bgl Maximum authorised abstraction ratem³/hr

All Borehole Completion Records duly completed should be sent to the appropriate WRA Regional Office.

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

WELL COMPLETION RECORD

(r. 56(1))

(To be submitted in triplicate)

Well Authorisation No.....

Well Name.....

Geological formation.....

PARTICULARS OF APPLICANT	DETAILS
1. Full name of applicant(s) (In Block Letters)	
2. Category of Applicant – Individual, Group [Association, Society], Company, Institution	
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies	

Physical Address where water is to be used (see sketch)		Contact Address of Applicant	
4. L.R Number(s)		10. Box Number	
5. Village(s)/Ward(s)		10. Town	
6. Sub-County (s)		11. Post Code	
7. County (s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	
PARTICULARS OF CONTRACTOR (IF APPLICABLE)			
16. Box Number		22. Email Contact	
17. Town		23. Licence Number	

The Chief Executive Office



Water Resources Authority,

P. O. Box 45250 - 00100

NAIROBI

Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 008B

Catchment: _____

WRA ID: _____

File No: _____

18. Post Code		24. Gazetted On	
19. Telephone Contact (Landline)		25. Drilling Supervisor	
20. Telephone Contact (Mobile)			

INTENDED USE OF WATER									
Public; Irrigation; Industry; Domestic; Livestock; other									
PARTICULARS OF WELL									
<i>Type of Well:</i> Hand-dug; Machine-dug; Other									
<i>Well Construction (also see Figure 1)</i>									
Construction started (date)		Construction completed (date)		All works completed (date)					
Total Depth: Reported (m)		Measured (m)		Final (back-filled) Depth (m)					
Well Diameter (mm)		From (m)		To (m)					
Well Diameter (mm)		From (m)		To (m)					
Well Diameter (mm)		From (m)		To (m)					
Hole Diameter (mm)		From (m)		To (m)					
Permanent Lining where relevant (if well is not lined, state “unlined” in the box below)									
Plain									
Type		Diam (mm)		Length (m)		From (m)		To (m)	
Type		Diam (mm)		Length (m)		From (m)		To (m)	

Type	Diam (mm)	Length (m)	From (m)	To (m)
Screens or equivalent where relevant (if well is not lined, state "unlined" in the box below)				
Size / Description of Openings				
Type	Diam (mm)	Length (m)	From (m)	To (m)

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Type	Diam (mm)	Length (m)	From (m)	To (m)
Gravel Pack				
Size of grains (mm)		Roundness (good, fair, poor)	Volume inserted into annular space (m ³)	
From (m)		To (m)		
Open Hole				
Diam (mm)		From (m)	To (m)	
Aquifer				
Water Struck at (m)		Water Rest Level (m)		

Water bearing material		From (m)		To (m)	
Other Aquifers, Remarks, etc (also see log on page 4), technical information (specific capacity, transmissivity) etc...					

<i>Pumping Test Record</i> in Summary (detailed test records on attached sheets): (all depth measurements to be in metres below ground surface)		
Information to be provided	Test No. 1	Test No. 2
Date of test (day, month, year)		
Depth of well at time of test		
Water Entry (aquifer zone)	From:	From:
	To:	To:
Static water level (SWL) before test		
Type of pump or bailer used		
Depth of pump intake		

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____

Catchment: _____

P.O. Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Discharge (in m ³ /hr)		
-----------------------------------	--	--

Distance from well to point of discharge of water pumped		
Pumping water level (PWL) at end of test		
After pumping continuously for (hours)		
Time of recovery to start SWL (minutes)		
Rate of recovery – WL after 5 minutes		
Rate of recovery – WL after 20 minutes		
Rate of recovery – WL after 60 minutes		
Rate of recovery – WL after 180 minutes		
Full test data and curves to be appended to this form		

(Additional pumping tests to be given in REMARKS below and included in the file).

Authority representative witnessing the test.....

<i>Quality of Water</i>				
Sample (Yes/No)		Collected at (hour)		On (date)
Sediment		Taste		Odour
Colour		Temperature (°C)		Electrical Conductivity (□ S/cm)
Full chemical and bacteriological data to be appended to this form				

The Chief Executive Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

<p><i>Remarks:</i> (construction difficulties and any pertinent information about the construction and completion of the well)</p>	
--	--

<i>Drilling Supervisor</i>		<i>Drilling Contractor</i>	
Signature		Signature	
Name		Name	
Date		Date	

Well Number Well

Name.....

Constructor's Log (hydrogeologist's log to be appended to this form if applicable).

From (m)	To (m)	Description of Formation Penetrated	From (m)	To (m)	Description of Formation Penetrated

Remarks or additional information on Driller’s log, or on sketch of well:

.....

Figure 1 Sketch of Well Construction: (Sketch to include: details of well headworks and sanitary protection; depths and changes of hole diameter; lining positions, type and diameter of lining and related information if applicable; location of aquifer (and screens if applicable); if casing closed at bottom, show how; formation caving zones; and any other pertinent information).

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources
Authority,

Easting: _____

Catchment: _____

P O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

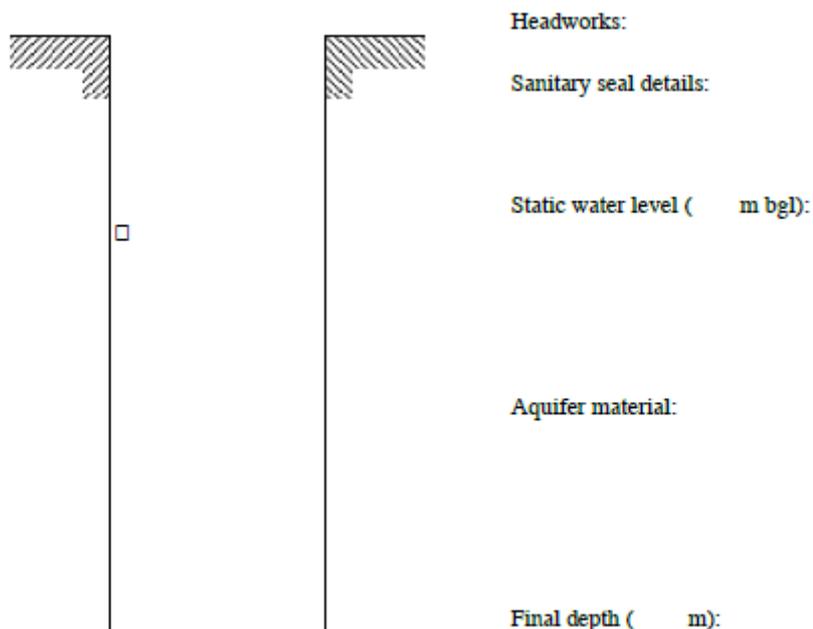
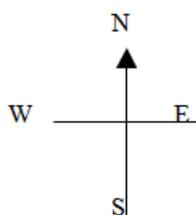


Figure 2 Location Sketch: (To be sketched by the constructor or applicant on-site, showing latrines, septic tanks or sewerage network and distances; roads, tracks and prominent land marks; road distances to nearest town or trading centre and to nearest alternative water source).



The Chief Executive Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____ Catchment: _____

P. O. Box 45250 - 00100

Northing: _____ WRA ID: _____

NAIROBI

Zone: _____ File No: _____

For Official Use Only: complete as applicable

Entered on Schedule..... (Yes/No) Water sample received..... (Yes/No)

Geological samples received..... (Yes/No) Chemical analysis received..... (Yes/No)

Geological samples filed..... (Yes/No) Geologist’s Log available..... (Yes/No)

Location plotted on maps..... (Yes/No)

Hydrogeological report No..... of..... (Date) by..... (Name)

Geophysical Curve No..... of..... (Date) by..... (Name)

Well data entered and checked by (Name)..... Signature..... Permit details

Permit Number..... Authorised abstraction..... m³/d

Authorised water use(s).....

Pump intake depth..... m bgl Maximum authorised abstraction rate..... M³/hr

All Well Completion Records duly completed should be sent to the appropriate WRA Regional Office.

The Chief Executive Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____ Catchment: _____

P. O. Box 45250 - 00100

Northing: _____ WRA ID: _____

NAIROBI

Zone: _____ File: _____

Water Resources Authority

WATER PERMIT

(r. 14(3)(a), 17(4)(a), 29(5))

By virtue of the authority vested in us by the Water Act 2016, we, the Water Resources Authority, do hereby grant unto (name), hereinafter called the permit holder, or his/her/their executors, Administrators and assigns permission to use water in accordance with the details contained herein, subject to the provisions of the Water Act 2016, and the Rules thereunder, and the conditions following hereafter and endorsed hereon and attached hereto: -

<i>Permit No. P</i>		<i>Permit Expiry Date</i>	
---------------------	--	---------------------------	--

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF PERMIT HOLDER		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
5. L/R Number(s)		6. Box Number	
7. Village(s)/Ward(s)		8. Town	
9. Sub-County (s)		10. Post Code	

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

11. County (s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	

WATER RESOURCE DETAILS

15. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
16. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
17. Sub-catchment Number	
18. Class of Water Resource	
19. Name of Body of Water or Aquifer where effluent is to be discharged	
20. Sub-catchment Number (Effluent)	
21. Class of Water Resource (Effluent)	
22. Category of Application (Class of Permit)	
SUPPLEMENT TO PERMITS	

23. Does permit include Supplements approved under Regulation 40 of the Regulations (yes/no)	
24. List Reference Number for each Supplement	

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 010

Water Resources
Authority,

Easting: _____ Catchment: _____

P. O Box 45250 -
00100

Northing: _____ WRA ID: _____

NAIROBI

Zone: _____ File No: _____

Brief Description of Project and Intended Use for Water					
Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			
		River - Normal Condition	River - Flood Condition	River – Regulated Flow	Lake
1. Public					
2. Domestic					
3. Livestock					
4. Subsistence Irrigation					
5. Commercial Irrigation					
6. Industry/ Commercial					

7. Hydropower					
8. Others					
9. Sub-total					
10. Quantity Returned					
11. Water Abstracted (row 9-row 11)					
12. Effluent Discharge					
13. Basic Human Needs					

CONDITIONS OF PERMIT	DETAILS
Availability of Resource	When the resource availability drops into the Reserve, the permit holder is only entitled to Basic Human Needs
Water Quality Report	
Payment of Water Use Charges	
Inspections	
1	
2	
3	
4	

Other Technical Details	

The Chief Executive Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 008B

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Effluent Discharge Requirements	
Meter ID Numbers Related to this permit	
1.	
2.	
3.	

SURFACE WATER - ABSTRACTION, DIVERSION, IN-STREAM AND CONVEYANCE WORKS

Grid Reference for Works (UTM , based on ARC1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	

Map Sheet	
Weir (1) or Collection Chamber (2)	
Dimensions	
Width/diameter (m)	
Length (m)	
Height (m)	
Materials	
Compensation Flow Capacity (m ³ /day)	
Pump	
Type of Pump	
Type of driving machine	
Power source of driving machine (diesel, electric, wind, water)	
Maximum Power rating (KVa)	
Expected operating head (m)	
Canal	
Length (m)	
Top width (m)	
Bottom width (m)	
Lined or unlined	
Lining material	

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 010

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File: _____

Gradient (m/100m or %)	
Maximum velocity (m/s)	
Maximum Capacity (m ³ /day)	
Pipeline	
Internal diameter of delivery pipe (mm)	
Maximum Capacity (m ³ /day)	

GROUNDWATER

Grid Reference for Works (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
W.R.M.A. number of well/ borehole	
Total depth of well/ borehole	

Depth to which the cylinder or suction pipe may be installed	
--	--

STORAGE DAMS

Name of dam	
Class of Dam (A, B or C)	
Grid Reference for Dam (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
Spillway	
Dimensions at control	
Width (m)	
Length (m)	
Height (m)	
Embankment	
Material (earth, concrete, masonry, others)	
Dimensions	
Width at Crest (m)	
Length at Crest (m)	

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 010

Water Resources
Authority,

Easting: _____

Catchment: _____

P.O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Upstream slope (1 to ...)	
Downstream slope (1 to ...)	
Maximum Depth of Water (Measured from bed to normal water level) (m)	
Maximum Height of Embankment (m)	
Gross Freeboard (m)	
Net Freeboard (m)	
Impoundment	
Estimated Impounded Volume (m ³)	
Other Details	
Maximum Drawoff Capacity (m ³ /day)	
Maximum Compensation Flow capacity (m ³ /day)	

SWAMP DRAINAGE

Name of swamp	
Size of swamp to be drained (ha)	

Purpose of swamp drainage (agricultural, residential, recreational, public health, industrial, abstraction)	
Means of swamp drainage (tick as appropriate)	
Channelling or canalisation of flows	
Diversion of inflow	
Expected % of inflow waters to be diverted	
Construction of drainage canals or drainage pipes	
Expected reduction in water level in swamp (m)	

EFFLUENT DISCHARGE

Grid Reference for Effluent Discharge Point (UTM, based on ARC 1960 Datum, Zone 36/37)	
Easting	
Northing	
Altitude (m above sea level)	
Map Sheet	
Source of water supply	
Source of Effluent (domestic, institutions, industrial, agricultural, urban)	

The Chief Executive Office

Water Resources Authority,

P. O. Box 45250 - 00100



Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Form: WRA 010

Catchment: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Mode of discharge (pipe, canal, ..)	
Maximum Daily Effluent discharge (m ³ /day)	
Details of Treatment System	
Chemical	
Settling	
Anaerobic digesters	
Oxidation or aerated ponds	
Natural or constructed Wetland	
Other (specify)	
Retention time (days)	
Nature of Pollutants (Chemical, biological, physical)	

EFFLUENT QUALITY

Parameter	Units	Guideline Value	Parameter	Units	Guideline Value
BOD (5 days at 20C)	mg /		Total Phosphorous	mg/l	
COD	mg/l		Total Nitrogen	mg/l	
Total Dissolved Solids	mg/l		Total suspended solids	mg/l	

pH	pH scale		Metals	mg/l
Temperature	°C		Non metal toxics(sulphides, cyanides, fluorides)	mg/l
Total Coliforms	Counts / 100 ml		Pesticide residues	µg/l
Turbidity or colour	NTU/Hazen		Phenols	mg/l
Ammonia - NH ₃	mg/l		Oils and grease	mg/l
Ammonium- NH ₄	mg/l		Others	
Nitrite - NO ₂	mg/l			
Nitrate- NO ₃	mg/l			

SIGNATURE

Yours faithfully,

Signature of WRA Officer	
Name of Officer	
Position of Officer	
Date of Signature	

The Chief Executive Office

Water Resources Authority,

P. O Box 45250 - 00100



Grid Reference for Works
(UTM Arc 1960)

Easting: _____

Northing: _____

Form: WRA 011

Catchment: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority
APPLICATION FOR RENEWAL OF WATER PERMIT

(r. 38(1))

(To be submitted in triplicate)

(To be submitted in triplicate) I, the undersigned hereby apply for renewal of the Permit No.

I, certify that the works have been maintained and the water used in accordance with the provisions of the permit referred to above.

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversions	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								
Attach Form	1B	1B	1B	1C	1D	1D	1E	1F

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)		2.	
3. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
4. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
5. PIN Number (where available)			
Physical Address where water is to be used		Contact Address of Applicant	
6. L/R Number(s)		7. Box Number	

8. Village(s)/Ward(s)		9. Town	
10. Sub-County (s)		11. Post Code	
12. County (s)		13. Telephone Contact (Landline)	
		14. Telephone Contact (Mobile)	
		15. Email Contact	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 011

Water Resources Authority,

Easting: _____

Catchment: _____

P.O. Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

WATER RESOURCE DETAILS

16. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
17. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
18. Sub-catchment Number	
19. Class of Water Resource	
20. Name of Body of Water or Aquifer where effluent is to be discharged	
21. Sub-catchment Number (Effluent)	
22. Class of Water Resource (Effluent)	

23. Category of Application (Class of Permit)	
---	--

Note: Shaded Areas to be filled in by WRA Officials

QUANTITY WATER REQUIRED

24. Description of Project and Intended Use for Water					
Type of Water Use	Groundwater (m ³ /day)	Surface Water (m ³ /day)			
		River - Normal Condition	River - Flood Condition	River – Regulated Flow	Lake
25. Public					
26. Domestic					
27. Livestock					
28. Subsistence Irrigation					
29. Commercial Irrigation					
30. Industry/ Commercial					
31. Hydropower					
32. Others					
33. Sub-total					
34. Quantity Returned					

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 011

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

35. Water Abstracted (row 42-row 44)					
36. Effluent Discharge					

FEES SUBMITTED

Category A, B, C or D Class Permit	
Permit Fees	
AMOUNT PAID	
Receipt Number	

SIGNATURE

Signature of Applicant or duly Authorised Agent	
Name	
Date of Application	

SIGNATURE OF WRA OFFICIAL RECEIVING PERMIT RENEWAL APPLICATION

Signature of WRA Official	
Name	
Position	
Date Application for Renewal Received	

OFFICIAL SECTION *(To be filled in by WRA officials)*

WRA Action	Decision	Date	Comment/Reference
Recommended			
Rejected			
Conditional Recommendation			
Permit Renewed until (date)			

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 012

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

APPLICATION FOR VARIATION OF WATER PERMIT

(r. 36(1))

To be submitted in triplicate

I, (name)....., the holder of Permit No....., do hereby apply for a variation to the permit.

The need to vary the permit has been caused by (state cause)

.....

Which item(s) of the permit is/are changing?	Original Value	New Value	Comments

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF PERMIT HOLDER	DETAILS
1. Full name of applicant(s) (In Block Letters)	
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution	
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies	
4. PIN Number (where available)	

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 012

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O. Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Physical Address where water is to be used		Contact Address of Applicant	
5. L/R Number(s)		6. Box Number	
7. Village(s)/Ward(s)		8. Town	
9. Sub-County (s)		10. Post Code	
11. County (s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	

WATER RESOURCE

15. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
16. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
17. Sub-catchment Number	
18. Class of Water Resource	

19. Name of Body of Water or Aquifer where effluent is to be discharged	
20. Sub-catchment Number (Effluent)	
21. Class of Water Resource (Effluent)	
22. Category of Application (Class of Permit)	

FEES SUBMITTED

Category A, B, C or D Class Permit	Amount (KES)
Application Fees for Variation	
Receipt Number	

SIGNATURE

SIGNATURE OF WRA OFFICIAL RECEIVING APPLICATION TO VARY PERMIT

Signature of WRA Official	
Name	

The Chief Executive Office



Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI

Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 012

Catchment: _____

WRA ID: _____

File No: _____

Position	
Date Application for Variation Received	

OFFICIAL SECTION

(To be filled in by WRA officials)

WRA Action	Decision	Date	Comment/Reference
Variation Accepted			
Rejected			
Conditional Acceptance			
Permit Valid until (date)			

The Chief Executive Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 013

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

APPLICATION FOR TRANSFER OF WATER PERMIT

(r. 35)

(To be submitted in triplicate)

I, (name).....,being the holder of Permit No., do hereby apply for the permit to be transferred to

(name).....

I confirm that all other particulars of the Permit remain the same.

The need to transfer the permit has been caused by (state cause)

.....

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF CURRENT PERMIT HOLDER	DETAILS
1. Full name of applicant(s) (In Block Letters)	
2. Category of Applicant - Individual, Group [Association, Society], Company, Institution	
3. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies	
4. PIN Number (where available)	

The Chief Executive Office



Water Resources Authority,

P.O Box 45250 - 00100

NAIROBI

Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 013

Catchment: _____

WRA ID: _____

File No: _____

Physical Address where water is to be used		Contact Address of Applicant	
5. L/R Number(s)		6. Box Number	
7. Village(s)/Ward(s)		8. Town	
9. Sub-County (s)		10. Post Code	

11. County (s)		12. Telephone Contact (Landline)	
13. Division(s)		14. Telephone Contact (Mobile)	
15. District(s)		16. Email Contact	

PARTICULARS OF <u>PROPOSED</u> PERMIT HOLDER		DETAILS	
17. Full name of applicant(s) (In Block Letters)			
18. Category of Applicant - Individual, Group [Association, Society], Company, Institution			
19. ID Number of Applicant (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
Physical Address where water is to be used		Contact Address of Applicant	
20. L/R Number(s)		21. Box Number	
22. Village(s)/Ward(s)		23. Town	
24. Sub-County (s)		25. Post Code	
26. County (s)		27. Telephone Contact (Landline)	
		28. Telephone Contact (Mobile)	
		29. Email Contact	

WATER RESOURCE DETAILS

30. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
--	--

31. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
---	--

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 013

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

32. Sub-catchment Number	
33. Class of Water Resource	
34. Name of Body of Water or Aquifer where effluent is to be discharged	
35. Sub-catchment Number (Effluent)	
36. Class of Water Resource (Effluent)	
37. Category of Application (Class of Permit)	

FEES SUBMITTED

Category A, B, C or D Class Permit	Amount (KES)
Application Fees for Transfer of Permit	
Receipt Number	

SIGNATURE

Signature of Applicant or duly Authorised Agent	
---	--

Name	
Date of Application	

SIGNATURE OF WRA OFFICIAL RECEIVING PERMIT TRANSFER APPLICATION

Signature of WRA Official	
Name	
Position	
Date Application for Renewal Received	

OFFICIAL SECTION

(To be filled in by WRA officials)

WRA Action	Decision	Date	Comment/Reference
Transfer Accepted			
Rejected			
Conditional Acceptance			
Permit Valid until (date)			

The Chief Executive
Office



Water Resources
Authority,

P.O Box 45250 - 00100

NAIROBI

Grid Reference for Works
(UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 014

Catchment: _____

WRA ID: _____

File No: _____

Water Resources Authority

APPLICATION FOR SEARCH OF WATER PERMIT

(r. 39(2))

I, (name)....., request the Water Resources Authority to provide me with a copy of the Water Permit in respect of the person or parcel of land shown below (submit as much information as possible):

PARTICULARS OF PERMIT HOLDER		DETAILS	
1. Full name of Permit Holder(s) (In Block Letters)			
2. Category of Permit Holder - Individual, Group [Association, Society], Company, Institution			
3. Permit Number			
Physical Address where water is being used		Contact Address of Permit Holder	
4. L/R Number(s)		5. Box Number	
6. Village(s)/Ward(s)		7. Town	
8. Sub-location(s)		9. Post Code	
10. Location(s)		11. Telephone Contact (Landline)	
12. Division(s)		13. Telephone Contact (Mobile)	
14. District(s)		15. Email Contact	

WATER RESOURCE DETAILS

16. Name of Body of Water or Aquifer where water is diverted, abstracted or stored	
17. Sub-catchment Number	
18. Name of Body of Water or Aquifer where effluent is discharged	

19. Sub-catchment Number (Effluent)	
-------------------------------------	--

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 014

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

FEES SUBMITTED

	Amount (KES)
Search Fees	
Receipt Number	

SIGNATURE

Signature of Applicant or duly Authorised Agent	
Name	
Date of Application	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 015

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

ASSESSMENT OF WATER USE AND CHARGES

(r. 8/1 (1))

(To be submitted in triplicate)

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. PIN Number (where available)			
Physical Address where water is to be used		Contact Address	
3. L/R Number(s)		4. Box Number	
5. Village(s)/Ward(s)		6. Town	
7. Sub-location(s)		8. Post Code	
9. Location(s)		10. Telephone Contact (Landline)	
11. Division(s)		12. Telephone Contact (Mobile)	
13. District(s)		14. Email Contact	

WATER RESOURCE DETAILS

15. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	
16. Is the point of abstraction or storage in a Protected Area or a Groundwater Conservation Area? (yes/no)	
17. Sub-catchment Number	
18. Class of Water Resource	

19. Status of Water Resource	
20. Name of Body of Water or Aquifer where effluent is to be discharged	
21. Sub-catchment Number (Effluent)	
22. Class of Water Resource (Effluent)	
23. Status of Water Resource (Effluent)	
24. Category of Application (Category B, C or D)	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 015

Water Resources Authority,

Easting: _____

Catchment: _____

P O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

QUANTITY WATER USED

<i>BASED ON MEASUREMENTS</i>			
25. Meter Number			
26. Current Date of Assessment of Water Used			
27. Date of Last Assessment			
28. Current Meter Reading (m ³)			

29. Last Meter Reading (m ³)			
30. Total Consumption (m ³)			
<i>BASED ON ESTIMATE</i>			
31. Estimate of water used (m ³) between current & last assessment			
32. Show calculations/ justification for estimate of water used			

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 015

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

CALCULATION OF WATER USE CHARGES AND CURRENT STATEMENT						
		Units	Quantity	Rates Kshs	Char ges Kshs	Instructions
a	b	c	d	e	f	g
1	Total Consumption	m ³				
2	Number of Days in Accounting Period	Days				

3	DOMESTIC WATER USE					
4	Amount Allocated on Permit	m ³ /day				
5	Total amount allocated for accounting period	m ³				Col d (Row 4 x row 2)
6	Total amount lawfully used	m ³		2.5	+	Not to exceed col d row 5
7	PUBLIC WATER USE					
8	Amount Allocated on Permit	m ³ /day				
9	Total amount allocated for accounting period	m ³				Col d (Row 8 x row 2)
10	Total amount lawfully used	m ³		2	+	Not to exceed col d row 9
11	LIVESTOCK WATER USE					
12	Amount Allocated on Permit	m ³ /day				
13	Total amount allocated for accounting period	m ³				Col d (Row 12 x row 2)

14	Total amount lawfully used	m ³		2	+	Not to exceed col d row 13
15	IRRIGATION WATER USE					
8	Amount Allocated on Permit	m ³ /day				
9	Total amount allocated for accounting period	m ³				Col d (Row 8 x row 2)
10	Total amount lawfully used	m ³ /day				Not to exceed col d row 9
11	Volume of water charged at lower rate	m ³		2	+	Max. vol.= col d row 2 x 300
12	Volume of water charged at higher rate	m ³		2.5	+	Col d Row 10 – row 11

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 015

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File: _____

13	INDUSTRIAL/ COMMERCIAL WATER USE					
----	----------------------------------	--	--	--	--	--

14	Amount Allocated on Permit	m ³ /day				
15	Total amount allocated for accounting period	m ₃				Col d (Row 14 x row 2)
16	Total amount lawfully used	m ₃				Not to exceed col d row 15
17	Volume of water charged at lower rate	m ³		5	+	Max. vol.= col d row 2 x 300
18	Volume of water charged at higher rate	m ³		6	+	Col d Row 10 – row 11
19	FISH FARMING WATER USE					
20	Amount Allocated on Permit	m ³ /day				
21	Total amount allocated for accounting period	m ³				Col d (Row 20 x row 2)
22	Total amount lawfully used	m ³		0.1	+	Not to exceed col d row 21
23	HYDROPOWER					

24	Total amount hydropower generated	Kw.hr				
25	Total amount hydropower charged	Kw.hr		1	+	If (Row 24 - 1) > 1, then Row 24 - 1
26	Sub-Total Water Use Charges				+	Sum Col f Rows 6,11,12,17,18,22, 25
27	EXTRAS					
28	Water Resource Conservation charge for abstraction or effluent within a Groundwater Conservation Area or protected area			0.1	+	Col f Row 26 x 0.1
29	Penalty for lack of flow measuring device			0.1	+	Col f Row 26 x 0.1
30	Incentive for flood water conservation			0.1	-	Col f Row 26 x 0.1 (note negative sign)
31	Penalty for Over abstraction					
32	Total water used	m ³				Col d Row 1

The Chief Executive
Office



Grid Reference for Works
(UTM Arc 1960)

Form: WRA 015

Water Resources
Authority,

Easting: _____

Catchment: _____

P. O Box 45250 -
00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File: _____

33	Total water lawfully used	m ³				Sum Col d Rows 6,10,16,22
34	Total water used in excess of permit	m ³		1.0	+	Col d (Row 32 – row 33)
35	TOTAL WATER USE CHARGES THIS PERIOD				+	Sum Col f Rows 26,28,29,30,34
36						
37	STATEMENT					
38	Previous balance				+	
39	Payments within last period				-	
40	Outstanding balance				+	Col f (Row 38- row39)
41	Interest Charges				+	Col f Row 40 x 0.02 x 3months

42	TOTAL AMOUNT DUE				Sum Col f Rows 35, 40,41
----	------------------	--	--	--	--------------------------

I certify that the information presented in this form provides an accurate estimate of the quantity of water used and the water use charges due.

Name	
Signature	
Date	

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 016

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

The Water Act

(Cap. 372)

ORDER

(r. 136(2))

PARTICULARS OF PERSON ISSUED WITH ORDER			
1. Full name of receiving Order (In Block Letters)			
Physical Address where water is to be used		Contact Address	
2. L/R Number(s)		3. Box Number	
4. Village(s)/Ward(s)		5. Town	

6. Sub-location(s)		7. Post Code	
8. Location(s)		9. Telephone Contact (Landline)	
10. Division(s)		11. Telephone Contact (Mobile)	
12. District(s)		13. Email Contact	

WATER RESOURCE DETAILS

14. Name of Body of Water or Aquifer related to Order

You are hereby required to undertake the following action by the deadline stated below:

Action Required	
Deadline	

You are required to notify the Authority when you have complied with this Order.

The Chief Executive Office



Water Resources Authority,

P. O Box 45250 - 00100

NAIROBI

Grid Reference for Works (UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 016

Catchment: _____

WRA ID: _____

File No: _____

Issued by:

Signature of Officer	
Name of Officer	
Position of Officer	

Date of Signature	
-------------------	--

The Chief Executive Office



Grid Reference for Works (UTM Arc 1960)

Form: WRA 017

Water Resources Authority,

Easting: _____

Catchment: _____

P. O Box 45250 - 00100

Northing: _____

WRA ID: _____

NAIROBI

Zone: _____

File No: _____

Water Resources Authority

(To be submitted in triplicate)

APPLICATION FOR AUTHORITY TO ENTER INTO AND UPON LANDS OF OTHER LANDHOLDERS FOR THE PURPOSE OF INVESTIGATION AND SURVEYING IN CONNECTION WITH A PROPOSED APPLICATION FOR A PERMIT OR EASEMENT

(r. 13(4), 104(4))

PARTICULARS OF APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. PIN Number (where available)			
Physical Address where water is to be used		Contact Address	
3. L/R Number(s)		4. Box Number	
5. Village(s)/Ward(s)		6. Town	
7. Sub-location(s)		8. Post Code	
9. Location(s)		10. Telephone Contact (Landline)	

11. Division(s)		12. Telephone Contact (Mobile)	
13. District(s)		14. Email Contact	

DETAILS FOR WHICH ENTRY IS REQUIRED

15. Name of Body of Water or Aquifer where water is to be diverted, abstracted or stored	16.
17. State as specifically as you can the proposed purposes for which you wish to use the water	
18. Give a general description of the proposed project referring where necessary to the Cadastral map which you are required to submit herewith:	
19. State the time in months which you estimate it will take to make the necessary survey and investigations	
20. State when you propose to start the above investigation (give date)	

The Chief Executive Office



Water Resources Authority,

P. O. Box 45250 - 00100

NAIROBI

Grid Reference for Works(UTM Arc 1960)

Easting: _____

Northing: _____

Zone: _____

Form: WRA 017

Catchment: _____

WRA ID: _____

File No: _____

PERSONS LIKELY TO BE AFFECTED

(Attach extra sheet if required)

Description of land (Give L R (No.))	Name of Owner	Postal address and Tel of the owner or of his duly authorized agent
1.		

2.		
3.		
4.		
5.		

APPLICATION FEE

Application Fee (KES)	
Receipt Number	

SIGNATURE

Signature of Applicant or duly Authorised Agent	
Date of Signature	

ATTACHEMENTS	Attached (Yes/No)	Comments/Remarks
Copy of Identification Documents		
Copy of Land Documents (Land Registrar)		
Relevant Maps		
Copy of Receipt for Payment		

WRA 018

Water Resources
Authority

APPLICATION FOR REGISTRATION BY WATER RESOURCE USER ASSOCIATION

(r. 97(1))

(To be
submitted in
triplicate)

PARTICULARS OF WRUA APPLICANT		DETAILS	
1. Full name of applicant(s) (In Block Letters)			
2. Registration Number			
3. Date of Registration			
Physical Address: Contact Office or Person		Contact Address	
4. L/R Number(s)		5. Box Number	
6. Village(s)/ Ward(s)		7. Town	
8. Sub-County(ies)		9. Post Code	
10. County(ies)		11. Telephone Contact (Landline)	
12. Telephone Contact (Mobile)		13. Email Contact	

WATER RESOURCE DETAILS

14. Name of Body of Water or Aquifer for which WRUA is applying	
15. Sub-catchment Number	
16. Class of Water Resource	
17. Status of Water Resource	

DETAILS OF OFFICIALS

Chairman (Name):		Date Elected	
Secretary (Name):		Date Elected	
Treasurer (Name):		Date Elected	

SIGNATURE BY TWO WRUA OFFICIALS

Name of WRUA Official		
Position		
Signature of WRUA Official		
Date of Signature		

INFORMATION ATTACHED

Copy of Constitution	
Copy of Bylaws	
Minutes of election of officials	

Water
Resources
Authority

WRA 019

CERTIFICATE OF REGISTRATION FOR WATER RESOURCE USER ASSOCIATION

(r. 97(4))

Dear Sir/Madam;

I have the honour to inform you that the Water Resources Authority has registered the Water Resources Users Association.

PARTICULARS OF WRUA APPLICANT		DETAILS	
1. Full name of WRUA (In Block Letters)			
2. Registration Number			
3. Date of Registration			
Physical Address: Contact Office or Person		Contact Address	
4. L/R Number(s)		5. Box Number	
6. Village(s)/ Ward(s)		7. Town	
8. Sub-County(s)		9. Post Code	
10. County(s)		11. Telephone Contact (Landline)	
12.		13. Telephone Contact (Mobile)	
14.		15. Email Contact	

WATER RESOURCE DETAILS

16. Name of Body of Water or Aquifer for which WRUA is applying	
17. Sub-catchment Number	
18. Class of Water Resource	

SIGNATURE OF WRA OFFICIAL

Signature of WRA Official	
---------------------------	--

Name	
Position	
Date of Registration	

Water Resources Authority

WRA 020

SUPPLEMENT TO WATER PERMIT/AUTHORISATION

(r. 14(4))

SUPPLEMENT No. _____ to be attached to *Authorisation, Permit No. _____ dated _____ issued to and declared to form part thereof as if written or printed thereon (**delete as appropriate*).

DETAILS OF SUPPLEMENT

Type of Water Use	Surface Water				Groundwater		Effluent Discharge	Swamp Drainage
	Diversion	Abstraction	In-stream Works	Storage	Shallow well	Borehole		
Tick Box								

PARTICULARS OF PERSON TO WHICH SUPPLEMENT APPLIES		DETAILS	
1. Full name (In Block Letters)			
2. Category of Person - Individual, Group [Association, Society], Company, Institution			
3. ID Number (Individual) or Certificate of Incorporation or Registration for Groups or Companies			
4. PIN Number (where available)			
Physical Address where water is to be used		Contact Address	
5. L/R Number(s)		6. Box Number	

7. Village(s)/Ward(s)		8. Town	
9. Sub-ounty(s)		10. Post Code	
11. County(s)		12. Telephone Contact (Landline)	
		13. Telephone Contact (Mobile)	
		14. Email Contact	

Brief Description of Intended Use of Water Covered under Supplement				
	Groundwater (m ³ /day)	Surface Water (m ³ /day)		
		River - Normal Condition	River - Flood Condition	Lake
17. Public				
18. Domestic				
19. Livestock				
20. Subsistence Irrigation				
21. Commercial Irrigation				
22. Industry/ Commercial				
23. Hydropower				
24. Others				
25. Sub-total				

SIGNATURE

Yours faithfully,

Signature of WRA Officer	
Name of Officer	
Position of Officer	
Date of Signature	

WRP 001



REPUBLIC OF KENYA

MINISTRY OF WATER, SANITATION AND IRRIGATION

(This Application Form shall be completed in all sections and the applicant shall countersign alterations)

This Application Form should be sent to:

Date

.....

The Chairperson

Ministerial Technical Advisory Committees

Maji House, Ngong Road

O. Box 49720-00100

NAIROBI

Dear Sir/Madam,

APPLICATION FOR REGISTRATION AS A WATER SECTOR PROFESSIONAL

I hereby apply for registration/upgrade/amendment/renewal of license (tick as appropriate) as a Water Sector Professional with your Ministry and submit my details with the relevant references as follows:

DETAILS OF APPLICANT	
Name of Applicant	
Box Number	
Post Code	
Town	
Telephone Contact (Landline)	
Telephone Contact (Mobile)	
Email Contact	
KRA Pin	
Professional body Registration certificate	

CATEGORY BEING APPLIED FOR (tick as appropriate)
<p>PANEL I – WATER SUPPLY AND SANITATION CONSULTANT ENGINEER</p> <p>Water Supply and Sanitation</p> <p><input type="checkbox"/> CATEGORY 1 (<i>Construction value of over Kshs.100M</i>)</p> <p><input type="checkbox"/> CATEGORY 2 (<i>Construction value of up to Kshs.100 M</i>)</p>
<p>PANEL II – IRRIGATION CONSULTANT ENGINEER</p> <p>Irrigation</p> <p><input type="checkbox"/> CATEGORY 1 (<i>Construction value of over Kshs.100M</i>)</p> <p><input type="checkbox"/> CATEGORY 2 (<i>Construction value of up to Kshs.100 M</i>)</p>

PANEL III- DAM CONSULTANT ENGINEER Dams and Associated works <input type="checkbox"/> CATEGORY 1 (Must have handled a Dam project of 15metres and above) – SD3 <input type="checkbox"/> CATEGORY 2 (Must have handled a Dam project of up to 15metres) – SD2 <input type="checkbox"/> CATEGORY 3 (Must have handled a Dam project of up to 5metres) – SD1
<input type="checkbox"/> PANEL IV Hydrologist
<input type="checkbox"/> PANEL V Hydrogeologist
<input type="checkbox"/> PANEL VI Chemist

DETAILS OF ACADEMIC AND PROFESSIONAL TRAINING

(Attach certified copies of academic Certificates and Results Transcripts)

Institution	Course	Dates	Level Attained

DETAILS OF EMPLOYMENT RECORD

(Attach Detailed CVs and a Letter from Employer confirming position and dates)

Employer	Position Held	Dates

DETAILS OF REGISTERED PROFESSIONAL REFEREES (THREE)

(Attach filled referee form)

Name	Postal Address	Tel/Mobile Contact	Email Address

--	--	--	--

DECLARATION

I declare that the particulars given in this form are true and correct.

Signature of Applicant:.....

Date of Signature:.....

Requirements

1. Attach Certified Copy of Relevant Professional Body Registration Certificate (EBK, GRB, HSK, HRB, MSK, KETRIB, etc)
2. Attach Duly Filled and Signed Referees forms (At least 3 professional referees Registered with the relevant registration body)
3. Attach Certified Copies of Professional Qualifications/Testimonials and CVs
4. Attach Certified Copy of ID and KRA PIN Certificate
5. Attach Completion Certificates/Recommendations on Consultancies Previously Undertaken (Attach 2 reports)

FORM WRP 002



REPUBLIC OF KENYA

MINISTRY OF WATER, SANITATION AND IRRIGATION

WATER SECTOR PROFESSIONAL LICENCE

(r. 121(1))

Dear Sir/Madam;

I have the honour to inform you that the Ministry of Water and Irrigation has given you a licence as a Water Sector Professional in the following categories.

DETAILS OF WATER SECTOR PROFESSIONAL

Name (Surname first)	
----------------------	--

1. Box Number		2. Telephone Contact (Landline)	
3. Town		4. Telephone Contact (Mobile)	
5. Post Code		6. Email Contact	
7. PIN Number			

DETAILS OF LICENCE

Panel I		Panel II		Panel III	
A. Water Supply (>1000m ³ /day)		A. Water Supply (<1000m ³ /day)		Hydrologist	
B. Effluent Treatment Works		B. Effluent Treatment Works		Hydrogeologist	
C2. Class SD2 Dams		C1. Class SD1 Dams		Hydrometeorologist	
C3. Class SD3 Dams				Chemist	
D. Irrigation (> 7,500 m ³ /day)		D. Irrigation (< 7,500 m ³ /day)		Biologist	
				Ecologist	
				Geologist	

Conditions of Licence:

1. _____

2. _____

Yours Faithfully

SIGNATURE OF MWI OFFICIAL

Signature of WRA Official	
Name	
Position	
Date	

FORM WRC 001



REPUBLIC OF KENYA

MINISTRY OF WATER, SANITATION AND IRRIGATION

(This Application Form shall be completed in all sections and the applicant shall countersign alterations)

*This Application Forms to
be sent to:*

Date.....

The Chairperson
 Ministerial Technical Advisory Committee, Maji
 House, Ngong Road,
 P. O. Box 49720-00100, NAIROBI.

Dear Sir/ Madam,

APPLICATION FOR WATER CONTRACTOR LICENSE: REGISTRATION, UPGRADE, AMENDMENT, OR RENEWAL

I hereby apply for registration/ upgrade/ amendment/ renewal of license (tick as appropriate) as a Contractor with your Ministry and submit the details of my firm with the relevant references as follows:

1.0 DETAILS OF FIRM

1.1 Registered Name (Registered under the companies Act)

.....

- 1.2 Address.....Postal Code..... City/Town
- 1.3 Telephone No(s). 1....., 2....., 3.....
Email.....
- 1.4 Location of Business Premises Country..... Town..... Plot No.....
Street.....
- 1.5 Physical location of Workshop if not at the Business Premises (Attach sketch map showing the location for inspection visit purposes)

- 1.6 Firm Classification (tick as appropriate): Sole Proprietorship
 Partnership Company

1.7 Details of ownership:

a) Sole Proprietor

Name..... Nationality..... Country of Birth..... Citizenship details.....

b) Partnership: -

Give details of Partners as follows: -

Name in full	Nationality	Citizenship Details ID or Passport No.	Shares Held	Tel/Mobile Contact
1.				
2.				
3.				

c) Registered Company:

Private or Public

State the nominal and issued capital of the Company:

(i) Nominal Ksh.

(ii) Issued Ksh.

Give details of all Directors as follows:-

Name in full	Nationality	Citizenship Details ID or Passport No.	Shares Held	Tel/Mobile Contact

1.				
2.				
3.				

2.0 DETAILS OF PROFESSIONAL STAFF

(Attach certified copies of Certificates and CVs)

Name	Professional Qualifications	Years of Experience	Position in Organization
1.			
2.			
3.			

3.0 Details of Plant and Equipment

(Attach certified copies of Logbooks or other ownership documents)

Item	Reg. No.	Make	Model and Year of Manufacture	Inspection Location

4.0 Details of Projects completed in last Five (5) Years

(Attach copies of Completion Certificates, LSOs, LPOs etc)

Type of Project	Name	Client	Contract Value (Kshs.)	Date of Completion

5.0 Details of Three (3) Professional Referees

(References from consultants and persons supervising works are preferable. Partners or relatives are not acceptable)

Name	Postal Address	Relationship	Tel. & Email Address

6.0 Details of Financial Status (for last Three Years)

Year Turn over

7.0 Category applied for:

7.1 Water Supply, Sewerage, Irrigation, Electromechanical & Installation works

Class	Maximum value of works (Kshs)	Tick as appropriate
1	UNLIMITED	
2	Up to 1,000,000,000	
3	Up to 500,000,000	
4	Up to 200,000,000	

5	Up to 100,000,000	
6	Up to 40,000,000	
7	Up to 20,000,000	

7.2 Dam Construction and Associated Works

Class	Maximum height (m)	Value of works (Kshs.)	Tick as Appropriate
1	UNLIMITED	UNLIMITED	
2	Up to 30	Up to 1,500,000,000	
3	Up to 15	Up to 500,000,000	
4	Up to 5	Up to 50,000,000	

7.3 Borehole Drilling, Equipping and Servicing

Class	Maximum depth of borehole (m)	Value of works (Kshs.)	Tick as Appropriate
1	OVER 300	UNLIMITED	
2	Up to 300	Up to 30,000,000	
3	Up to 150	Up to 10,000,000	
4	Up to 50	Up to 5,000,000	

Attachments

1. Referees forms Duly Signed and Uploaded (Minimum of 3)
2. Certified copy of Company/Institutional Registration/Incorporation Certificate /or Articles of Association
3. Current Certified copy of CR12
4. Certified copies of KRA PIN Certificate,
5. Valid Tax Compliance Certificate
6. Directors' ID and KRA Pin Copies

7. If foreign Company, Attach Introductory Letter from Relevant Embassy
8. Certified Copies of Academic and Professional and Other Employees’ certificates and CVs, + valid work permits for foreigners
9. Certified copies of Log Books (Company or Director’s)
10. Certified Completion certificates/recommendations, LSOs, LPOs, BCRs, Letters of Award, and Interim certificates on works previously undertaken
11. Certified financial statements (Bank statement and/or Audited account) within the last three years
12. Certified NCA Registration Certificate (must)

DECLARATION

I declare that the particulars given by me in this form are true and correct.

Signature of Applicant or Lawfully Authorized Agent.....

Name of signatory.....

Date of Signature.....

FORM WRC 002



REPUBLIC OF KENYA

MINISTRY OF WATER, SANITATION AND IRRIGATION

CONTRACTOR LICENCE

(r. 130(2))

Dear Sir/Madam;

I have the honour to inform you that the Ministry of Water, Sanitation and Irrigation has given you a licence as a Contractor in the following category:

DETAILS OF CONTRACTOR

Name of Company			
1. Box Number		2. Telephone Contact (Landline)	
3. Town		4. Telephone Contact (Mobile)	

5. Post Code		6. Email Contact	
7. PIN Number			

DETAILS OF LICENCE

Category I		Category II	
A. Water Supply (>1000m ³ /day)		A. Water Supply (<1000m ³ /day)	
B. Effluent Treatment (>1000m ³ /day)		B. Effluent Treatment (<1000m ³ /day)	
C2. Class SD2 Dams		C1. Class SD1 Dams	
C3. Class SD3 Dams			
D. Irrigation (> 7,500 m ³ /day)		D. Irrigation (< 7,500 m ³ /day)	
E1. Borehole Drilling – Class 1 (< 150 m)		E. Borehole Servicing	
E2. Borehole Drilling – Class 2 (> 150 m)			

Conditions of Licence:

1. _____
2. _____

Yours Faithfully

Signature of Ministry of Water, Sanitation and Irrigation Official	
Name	
Position	
Date	