



NYAHUWASCO
Safe, Accessible & Affordable water & Sanitation Services

NYAHURURU WATER & SANITATION CO. LTD.

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BOREHOLE POLICY 2019

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Acronyms and Abbreviations

1. NYAHUWASCO - Nyahururu Water and Sanitation Company
2. WASREB - Water Services Regulatory Board
3. NRW - Non Revenue Water
4. JICA - Japan International Cooperation Agency
5. DMA - District Metered Area
6. CM - Commercial Manager
7. TSM - Technical Services Manager

1. INTRODUCTION

1.1 Background

Nyahururu Water and Sanitation Co. Ltd was incorporated on 18th February, 2002 under the provisions of the companies Act, 2015.

1.1.1 Mandate:

The company's broad mandate is to provide water and sewerage services within its Service Provision Area.

1.1.2 Vision:

To be the leading water and sanitation service provider in Kenya

1.1.3 Mission:

To offer our customers high quality water and sanitation services in the most efficient and cost effective manner”

1.1.4 Core Values:

- Customer focus
- Competence and professionalism
- Transparency and accountability
- Integrity
- Innovation and Creativity
- Environmental conscience

The water supply area is within Nyahururu town and its environs, Rumuruti, Marmanet and Igwamiti schemes.

The Company acknowledges the importance of providing adequate and clean water to all its customers and has been mandated to provide these services within the areas mentioned above. The development of the Policy is informed by the provisions of the water Act, prevailing water rules and regulations and any other enabling legislation so as to create a reference manual for handling and processing applications for drilling of boreholes within the company's area of water supply in a consistent and harmonized way.

The policy guidelines have been developed with reference to water resources rules and regulations derived from the water act 2002.

1.2 Problem Statement

The company lacks clear and standard guidelines on standard procedure for granting *No objection* for drilling of boreholes by individuals/institutions for the purpose of providing

alternative source of water supply for domestic or industrial use in the company's designated area of water supply.

1.3 Objective

This Policy aims at providing a clear guideline on the process of granting *No objection* for borehole drilling within the Company's area of water supply.

1.4 Rules governing drilling of boreholes

The following Rules apply to all individuals and institutions who may intend to drill borehole for the purpose of extracting ground water in the NYAHUWASCO'S area of water supply. Under the *Water Resources Management Rules 2006* quoted herein:

“no water works approval, authorization and permit shall be issued or renewed for the purposes of supplying water for domestic, public, commercial or industrial use within the limits of supply of a Water Service Provider without the applicant having received consent of the licensed water service provider for the area.”

The Water Resources Authority, the institution mandated to issue water use permits, is bound by this rule to deny issuance of borehole drilling permit in case where *No Objection* letter has not been availed from Nyahuwasco. This applies in the entire Nyahuwasco water supply area. (Supply area map attached herewith)

1.5 General rules

Subject to national legislation every application to the Water Resources Authority for the construction of a borehole within the area of supply of Nyahuwasco shall be submitted for a “no-objection” to the Nyahuwasco.

In considering an application for a “no-objection” the Nyahuwasco shall take account of its ability to provide the water services in respect to which the application for the borehole has been made and, if it reasonably believes that it can provide the required water services, it shall decline the request for a “no-objection.”

Where Nyahuwasco wishes to take water from the borehole for supply to its customers it shall enter into a contract with the owner of the borehole for the purchase of water in bulk from the owner of the borehole at an agreed tariff.

Any dispute between the owner of the borehole and Nyahuwasco over the use of the borehole by Nyahuwasco for the provision of water to the water service provider's customers shall be submitted to the Water Appeal Board for determination.

1.6 Criteria for Issuing Consent for Borehole Drilling

In determining whether an applicant qualifies for the consent to drill a borehole within Nyahuwasco area of water supply, the company shall follow the following guidelines:

- The company to be formally notified by the sub regional WRA office about the applicant request for *No Objection* letter.
- If the request is for drilling borehole within the former Nyahururu Municipality, no further consideration will be done and consent will not be granted in this particular area of water supply.
- If the request is for drilling borehole in the rural areas, the following parameters shall be assessed, upon which the company reserves the right to issue letter of no objection
 - Intended use-domestic, industrial or irrigation
 - Capacity of NYAHUWASCO to supply water for the intended use at that particular area.

The following terms define what constitutes domestic, industrial and irrigation water.

Domestic water

Water used normally for residential purposes, including household use, personal hygiene, drinking, washing clothes and dishes, flushing toilets, watering of domestic animals, and outside uses such as car washing, swimming pools, and for lawns, gardens, trees and shrubs.

Industrial water

Water used for industrial purposes such as fabricating, manufacturing, processing, washing, and cooling, and includes such industries as steel, chemical and allied products, paper and allied products, mining, and petroleum refining.

Irrigation water

Water used for farming purposes other than kitchen gardening and domestic livestock farming

1.7 Responsibilities

The applicant to ensure that all rules and procedures as pertains drilling of boreholes are adhered to before sinking borehole within NYAHUWASCO'S area of water supply.

NYAHUWASCO to keep surveillance in order to ensure that no unauthorized borehole is drilled within its area of water supply.

NYAHUWASCO to follow the laid down rules in case where an unauthorized borehole is drilled within its area of water supply.

2. Review of the policy

This policy will be subject to regular review and amendments when need arises.

3. Effective Date

This policy comes into effect on the Twenty Eighth day of June 2019

This policy was approved by the Board on Twenty Eighth day of June 2019 under minute number.....

Signed:

MANAGING DIRECTOR

CHAIRMAN- BOARD OF DIRECTORS.....

NYAHUWASCO WATER SUPPLY AREA

