



Bath County Health Department  
P. O. Box 120  
Warm Springs, Virginia 24484  
(540) 839-7246 Voice  
(540) 839-2964 Fax

## Record Of Inspection--Private Water Supply System

**Owner:** Larry CLAYBORNE;  
**Owner Address:** 8749 Deerfield Road  
Millboro, Virginia 24460

**Facility Name:** B45((A))7G **Health Dept I.D. #:** 108-03-0072  
**Tax Map #:** 45((A))7G  
**Location:** Deerfield Road Millboro, VA 24460

**Well Class:** Class IIIC; **Well Purpose:** Domestic Drinking Water  
**Well Driller:** L.W. Smith **Date of Installation:** 2003

### CONSTRUCTION INFORMATION

If information in any item below is secured from other sources (i.e. well log, etc.), so note.

1. **Water Well Completion Report** filed as per by Sec. 12 VAC 5-630-440? No; owner could not provide but requested approval. Owner completed a "Release, Hold Harmless, and Indemnification Agreement".

2. **Well Location:**

Distances from sources of pollution (See Table 3.1, Minimum Separation Distances) and Sec. 12 VAC 5-630-380 of the Private Well Regulations.

Building Sewer:	50 feet
Pretreatment Unit:	95 feet
Conveyance System:	95 feet
Soil Absorption System (nearest point):	100 feet
Property Line:	8 feet

Location Comments: Minimum met distances are listed (no sewer line present at time of well inspection on 04/22/13, but the septic tank and drainfield are installed).

3. **Well Construction:**

General: (see Sec. 12 VAC 5-630-400 and 12 VAC 5-630-410 Private Well Regulations).

Total depth of well: Owner indicated a depth of 64 feet.  
Type of casing: Steel; Casing extends above the ground 12 inches  
Depth of casing: UNKNOWN feet; Diameter of casing: 6 inches  
Exterior space sealed to a depth of UNKNOWN feet with

Well head and opening to the interior protected? Yes  
Type of well seal: Well cap

Well Construction Comments: Well head observed above grade with suitable well cap. Evidence of cement grout observed at ground surface. Owner indicated the well is 64' deep. No Uniform Water Well Completion Report was submitted; the owner requested approval and completed a "Release, Hold Harmless, and Indemnification Agreement".

4. **Quantity:**

Yield and drawdown determined by continuous pumping of UNKNOWN hours.  
Drawdown: UNKNOWN feet; Yield: UNKNOWN gallons per minute.

Well Quantity Comments: No Uniform Water Well Completion Report was submitted; the owner requested approval and completed a "Release, Hold Harmless, and Indemnification Agreement".

5. **Quality:**

Sample tap provided at entry into system? Yes; Samples(s) collected? Yes  
Results of samples: Satisfactory Date of Sample: April 17, 2013

6. **Status:**

Inspected By: Jason Weakley EHS

Based on the inspection of this private water supply system and the information provided by the owner, is this water supply approved? **Yes** Date Approved: **May 31, 2013**

Remarks: The owner requested an approval of the well but could not provide the Uniform Water Well Completion Report from the well driller. According to the owner the well driller, L.W. Smith, is incarcerated and all records were burned during a fire. The owner has signed and recorded a "Hold Harmless" agreement. The owner indicated the well was drilled in 2003. Well head observed above grade with suitable well cap. Evidence of cement grout observed at ground surface. Owner indicated the well is 64' deep. A satisfactory water sample result was submitted. See attached "Release, Hold Harmless, and Indemnification Agreement".

Signed: \_\_\_\_\_

Jason Weakley, EHS

Instrument No.

13-974

Date: 5-13-13

RELEASE, HOLD HARMLESS, and INDEMNIFICATION AGREEMENT

Page 1 of 1

Property Tax Map Number: 45((A))7G

This RELEASE, HOLD HARMLESS, and INDEMNIFICATION AGREEMENT is made and entered into this 13<sup>th</sup> Day of May 2013, by and between Larry Clayborne, his/her HEIRS, SUCCESSORS, and ASSIGNS ("OWNER") and the COMMONWEALTH OF VIRGINIA, acting through the Department of Health.

WHEREAS, the previous OWNER contracted with a Mr. L.W. Smith for the construction of a private water supply well on property located on the North side of Rte. 629, immediately Northeast of 8749 Deerfield Road Millboro, Bath County, Virginia; and

WHEREAS, pursuant to said contract, did install a private water supply well upon said property; and

WHEREAS, current OWNER is unable to deliver a *Uniform Water Well Completion Report* required pursuant to 12VAC5-630-310 of the *Private Well Regulations* ("Regulations") regarding said private water supply well; and

WHEREAS, OWNER has requested that the Bath County Health Department approve the private water supply well, even though the *Uniform Water Well Completion Report* by the contractor cannot be produced.

Now, THEREFORE, in exchange for the mutual promises contained herein, the parties agree as follows: That for and in consideration of the approval of the private water supply well herein described, the OWNER, his/her SUCCESSORS, ASSIGNS, REPRESENTATIVES, AGENTS, and SUCCESSORS IN INTEREST, agree to, and hereby do, release the COMMONWEALTH OF VIRGINIA, including, without limitation, any and all of its agencies, boards, and commissions, their insurer(s), officers, directors, employees, representatives, and agents [hereafter referred to as the "COMMONWEALTH OF VIRGINIA"], from any and all claims, complaints, demands, actions, causes of action, liabilities and obligations, of whatever source or nature, whether administrative, legal or equitable, whether known or unknown, which the OWNER now has or has in the future relating to or arising out of construction, installation, or approval of the aforesaid private water supply well described herein, including, without limitation, any and all claims due to the failure of any person to comply with federal, state, or local laws or regulations, claims under the Virginia Tort Claims Act, the Virginia Constitution, the United States Constitution and amendments thereto, or under common law.

The OWNER also agrees to indemnify and hold harmless the COMMONWEALTH OF VIRGINIA for any sum of money or judgement against the COMMONWEALTH OF VIRGINIA as well as costs and reasonable attorneys fees incurred in the defense of any action arising out of or related to the approval of the private water supply well.

To provide notice of this agreement to future purchasers, the OWNER also agrees to record this agreement in the land records of the Circuit Court having jurisdiction over the site of the private water supply well.

Date: May 13, 2013

Larry Clayborne  
Owner

COMMONWEALTH OF VIRGINIA

In the County of Bath, Virginia

The foregoing instrument was signed and acknowledged before me this 13 day of May, 2013,

by Larry Clayborne

Leta Winebrner  
Notary Public

279839

Notary Registration Number

My Commission expires: May 31, 2015

VIRGINIA: In the Clerk's Office of the Circuit Court of the County of Bath. This instrument, with certificate of acknowledgment annexed, is admitted to recorder at 10:06 A M May 13, 2013

Taxes Paid: Pursuant to Sect. 58.1-802 \$ \_\_\_\_\_

Teste: M. Wayne Winebrner, Clerk

4-13-13

To whom it may Concern,

SHEET 3 OF 4

I Larry Clayborne, purchased a well drilling permit, on 10-8-03 and shortly after that in the same fall of the year: L. W. Smith drilled the well for me and I took his copy of the papers to turn in and he told me to hold on to them a few days, he never returned and he is now in prison and his house burned and all records is lost this is all I know about him.

I had a water test done at Enviro Compliance Laboratories, Inc. in Verona, Virginia I am sending you the results. The well is 64 ft. deep

I was told by L. W. Smith that the well was producing 40+ gal. per min.

4/13/13

Larry Clayborne

P.S.

L. W. Smith was from Monterey Va.

The well was drilled on a 1.8 acres of the eastern end of the property.

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT  
BATH COUNTY CIRCUIT COURT  
P. O. BOX 188  
HARRIS SPRING, VA 24484  
540-834-7222

RECEIPT

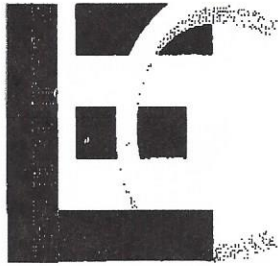
DATE: 02/13/12 TIME: 10:06:53 ACCOUNT: 0126153000274 RECEIPT: 130000000  
CASHIER: REG: B005 TYPE: AG PAYMENT: FULL PAYMENT  
INST: 50000274 BOND: RECEIVED: 05/15/11  
CASHIER: LARRY LARRY  
BATH COUNTY HEALTH DEPT OF HEALTH  
HARRIS SPRING, VA 24484  
DATE OF DEED: 02/13/12

RECEIVED: DEARBORNE, LARRY  
BATH COUNTY HEALTH DEPT OF HEALTH  
HARRIS SPRING, VA 24484  
DATE OF DEED: 02/13/12  
PAGES: 1 OF 4  
NAME: LARRY LARRY

CONSTRUCTION  
00 A/SAL: 14.50 145 USLF  
10.00 100.00 100.00  
5.00  
TENDERED: 51.00  
AMOUNT PAID: 21.00  
CHANGE AMT: 30.00

CLERK BY COURT: N. WAYNE NINEBERGER

02/13/12



Analytical Summary

Enviro Compliance Laboratories, Inc.  
Post Office Box 919  
Verona, Virginia 24482  
(540) 248-1311  
Fax: (540) 248-4604  
www.envirocompliance.com  
eciverona@envirocompliance.com

Attn: LARRY CLAYBORNE  
8749 Deerfield Rd  
Millboro, VA 24460

Project No. : 108-03-0072  
Project Name : 8749 DEERFIELD RD  
Date Received: April 04, 2013  
Date Sampled : April 04, 2013  
Time Sampled : 10:00  
Date Issued : April 05, 2013

Lab # 1(A)/Sample ID : 108-03-0072 8749 DEERFIELD

Parameter	Result	Units	QL	Date/Time Prepared	Date/Time Analyzed	Method	Analyst
Total Coliform	Negative		--	04-04/1500	04-05/0900	9223	SDM
E. coli	Negative		--	04-04/1500	04-05/0900	9223	SDM

This water sample meets the standards for total coliform bacteria set by the state health department.

Tax Map No. : \_\_\_\_\_  
Health Dept. No.: \_\_\_\_\_

Lab Certification Number: 00140

*Tamara Hostetter*  
Tamara G. Hostetter  
Laboratory Manager

Repo

