

WELL DISCLOSURE STATEMENT

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- 1. Date _____
2. Page 1 of _____ pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 103I.235 requires that, before signing an agreement to sell or transfer real property, Seller must disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.

10. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose the existence or known status of a well at the time of sale, and knew or had reason to know of the existence or known status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real property where the well is located.

15. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates wells for further information about these issues.

18. Instructions for completion of this form are on the reverse side.

19. PROPERTY DESCRIPTION

20. Street Address: _____ (City) _____ (Zip) _____ (County)

21. LEGAL DESCRIPTION

22. _____
23. _____
24. _____

25. WELL DISCLOSURE STATEMENT

26. (check appropriate box)

27. [] Seller certifies that Seller does not know of any wells on the above described real property. (If this option is checked, then skip to the last line and sign and date this statement.)

29. [] Seller certifies that the following wells are located on the above described real property.

Table with 8 columns: Well No., Depth, Year of Const., Well Type, IN USE, NOT IN USE, SEALED. Rows for Well 1, Well 2, Well 3.

35. NOTE: See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 83-92. If a well is not in use, it must be sealed by a licensed well contractor, or a well owner must obtain a maintenance permit from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not transferable. If a well is operable and properly maintained, a maintenance permit is not required.

39. OTHER WELL INFORMATION

40. Date well water last tested for contaminants: _____ Test results attached? Yes [] No []

41. Comments: _____

42. Contaminated Well: Is there a well on or serving the property containing contaminated water? Yes [] No []

43. SEALED WELL INFORMATION

44. For each well designated as sealed above, complete this section.

45. When was the well sealed? _____

46. Who sealed the well? _____

47. Was a Sealed Well Report filed with the Minnesota Department of Health? Yes [] No []

48. MAP

49. Complete the attached MAP showing the location of each well on the real property.

50. This disclosure is not a warranty of any kind by Seller(s) or any Licensee(s) representing or assisting any party/ies in this transaction and is not a substitute for any inspections or warranties the party/ies may wish to obtain.

52. CERTIFICATION BY SELLER

53. I certify that the information provided above is accurate and complete to the best of my knowledge.

54. _____ (Seller or Designated Representative) _____ (Date) _____ (Seller or Designated Representative) _____ (Date)

55. BUYER'S ACKNOWLEDGMENT

56. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

57. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER

59. **INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT**60. **DEFINITION**

61. A "well" means an excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed if the
62. excavation is intended for the location, diversion, artificial recharge or acquisition of groundwater.

63. **MINNESOTA UNIQUE WELL NUMBER**

64. All new wells constructed AFTER January 1, 1975, should have been assigned a Minnesota unique well
65. number by the person constructing the well. If the well was constructed after this date, you should have the
66. unique well number in your property records. If you are unable to locate your unique well number and the well
67. was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number is available,
68. please indicate the depth and year of construction for each well.

69. **WELL TYPE**

70. Use one of the following terms to describe the well type.

71. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use.
72. Examples of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and municipal wells.

73. **IRRIGATION WELL:** An irrigation well is a well used to irrigate agricultural lands. These are typically large-
74. diameter wells connected to a large pressure distribution system.

75. **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination. The well is
76. typically used to access groundwater for the extraction of samples.

77. **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for construction
78. or use of underground spaces.

79. **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to extract
80. groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat loops).

81. **WELL USE STATUS**

82. Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.

83. **IN USE:** A well is "in use" if the well is operated on a daily, regular or seasonal basis. A well in use includes
84. a well that operates for the purpose of irrigation, fire protection or emergency pumping.

85. **NOT IN USE:** A well is "not in use" if the well does not meet the definition of "in use" above and has not been sealed
86. by a licensed well contractor.

87. **SEALED:** A well is "sealed" if a licensed contractor has completely filled a well by pumping grout
88. material throughout the entire bore hole after removal of any obstructions from the well.
89. A well is "capped" if it has a metal or plastic cap or cover which is threaded, bolted or welded into the top of
90. the well to prevent entry into the well. A "capped" well is not a "sealed" well.

91. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor,
92. check the well status as "not in use."

93. If you have any questions, please contact the Minnesota Department of Health, Well Management Section, at
94. (651) 215-0819 (metropolitan Minneapolis–St. Paul) or 1-800-383-9808 (greater Minnesota).

95. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER**