

# DISCLOSURE STATEMENT: WELL

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2019 Minnesota Association of REALTORS®, Edina, MN

1. Date 11-1-2022
2. Page 1 of 3 pages: THE REQUIRED MAP
3. IS ATTACHED HERE AND MADE A PART OF THIS
4. DISCLOSURE

5. Minnesota Statute 1031.235 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. For additional information on wells, please visit the Minnesota Department of Health's website at [www.health.state.mn.us](http://www.health.state.mn.us).

19. Instructions for completion of this form are on page three (3).

20. **PROPERTY DESCRIPTION:** Street Address: 1538 310 Ave  
21. City of Rothsay, County of Wilkin  
22. State of Minnesota, Zip Code 56579

23. **LEGAL DESCRIPTION:** \_\_\_\_\_  
24. \_\_\_\_\_  
25. \_\_\_\_\_ ("Property").

26. **WELL DISCLOSURE STATEMENT:** (Check appropriate boxes.)

27. Seller certifies that the following wells are located on the above-described real Property.

	MN Unique Well No.	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SHARED	SEALED
30. Well 1	<u>N/A</u>	<u>60ft</u>	<u>2010</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. Well 2	<u>N/A</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32. Well 3	<u>N/A</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

33. Is this property served by a well not located on the Property? ☐ Yes ☒ No

34. If "Yes," please explain: \_\_\_\_\_  
35. \_\_\_\_\_

36. **NOTE:** See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 102-113. 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.

40. If the well is, "Shared":

41. (1) How many properties or residences does the shared well serve? \_\_\_\_\_

42. (2) Who manages the shared well? \_\_\_\_\_

43. (3) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No

44. If "Yes," what is the annual maintenance fee? \$ \_\_\_\_\_

# DISCLOSURE STATEMENT: WELL

45. Page 2

46. Property located at \_\_\_\_\_

47. **OTHER WELL INFORMATION:**

48. Date well water last tested for contaminants: 2010 Test results attached? ☐ Yes ☒ No

49. Contaminated Well: Is there a well on the Property containing contaminated water? ☐ Yes ☒ No

50. Comments: \_\_\_\_\_

51. \_\_\_\_\_

52. \_\_\_\_\_

53. \_\_\_\_\_

54. \_\_\_\_\_

55. \_\_\_\_\_

56. \_\_\_\_\_

57. **SEALED WELL INFORMATION:** For each well designated as sealed above, complete this section.

58. When was the well sealed? \_\_\_\_\_

59. Who sealed the well? \_\_\_\_\_

60. Was a Sealed Well Report filed with the Minnesota Department of Health? ☐ Yes ☐ No

61. **MAP: Complete the attached Location Map showing the location of each well on the real Property.**

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

64. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*

65. Seller(s) hereby states that the facts as stated above are true and accurate and authorizes any licensee(s) representing  
66. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity  
67. in connection with any actual or anticipated sale of the Property. A seller may provide this Disclosure Statement to  
68. a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real  
69. estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective  
70. buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective  
71. buyer, the real estate licensee must provide a copy to the prospective buyer.

72. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here**  
73. **(new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or**  
74. **enjoyment of the Property or any intended use of the Property that occur up to the time of closing.** To disclose  
75. new or changed facts, please use the *Amendment to Disclosure Statement* form.

76. Michael G. Nelson dotloop verified 11/07/22 3:29 PM EST PKR5-MTO4-7WPK-TZXZ  
(Seller) (Date)

Cheryl A. Nelson dotloop verified 11/07/22 7:50 PM CST QN70-EZA8-OAYW-FY60  
(Seller) (Date)

77. **BUYER'S ACKNOWLEDGEMENT:** *(To be signed at time of purchase agreement.)*

78. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Disclosure Statement: Well and Location Map* and  
79. agree that no representations regarding facts have been made other than those made above.

80. \_\_\_\_\_  
(Buyer) (Date)

\_\_\_\_\_  
(Buyer) (Date)

81. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**  
82. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**



## DISCLOSURE STATEMENT: WELL

83. Page 3

### 84. INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT

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

87. **MINNESOTA UNIQUE WELL NUMBER:** All new wells constructed AFTER January 1, 1975, should have been  
88. assigned a Minnesota unique well number by the person constructing the well. If the well was constructed after this  
89. date, you should have the unique well number in your property records. If you are unable to locate your unique well  
90. number and the well was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number  
91. is available, please indicate the depth and year of construction for each well.

92. **WELL TYPE:** Use one of the following terms to describe the well type.

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

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

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

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

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

104. **WELL USE STATUS:** Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.

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

107. **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  
108. sealed by a licensed well contractor.

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

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

115. If you have any questions, please contact the Minnesota Department of Health, Well Management Section,  
116. at (651) 201-4587 (metropolitan Minneapolis-St. Paul) or 1-800-383-9808 (greater Minnesota).

MN-DS:W-3 (8/19)