

WELL DISCLOSURE STATEMENT

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- 1. Date 05/10/2023
- 2. Page 1 of 3 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.

9. 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.

14. 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.

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

18. **PROPERTY DESCRIPTION:** Street Address: 15670 120th St Fergus Falls, MN 56537
 19. Fergus Falls 56537 Otter Tail
(City) (Zip) (County)

20. **LEGAL DESCRIPTION:** Sect-25 Twp-131 Range-044 Lots 1 & 2-Life Estate to Walter Bergerud
 21. _____
 22. _____
 23. _____
 24. _____
 25. _____

26. **WELL DISCLOSURE STATEMENT:**

27. (Check appropriate box.)

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

30. 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	SEALED
33. Well 1	<u>?</u>	<u>200'</u>	<u>2000</u>	<u>5"</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
34. Well 2	_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. Well 3	_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. **NOTE:** See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 89-100. 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.

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

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43. Property located at 15670 120th St Fergus Falls, MN 56537

44. OTHER WELL INFORMATION:

45. Date well water last tested for contaminants: 05/10/2000 Test results attached? [] Yes [x] No

46. Comments: Well was dug by Waskaski Well Drillers, Erdahl, MN

47. _____

48. _____

49. _____

50. _____

51. _____

52. _____

53. Contaminated Well: Is there a well on the property containing contaminated water? [] Yes [x] No

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

55. When was the well sealed? _____

56. Who sealed the well? _____

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

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

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

61. CERTIFICATION BY SELLER: I certify that the information provided above is accurate and complete to the best of my knowledge.

63. Virginia Sklar 5/10/2023 (Seller or Designated Representative) (Date) (Seller or Designated Representative) (Date)

64. BUYER'S ACKNOWLEDGEMENT:

65. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

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

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68. INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT

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

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

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

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

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

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

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

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

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

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

91. **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
92. sealed by a licensed well contractor.

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

97. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing
98. contractor, check the well status as “not in use.”

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

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

WELL DISCLOSURE STATEMENT

1 This document, dated 05/10/2023, concerns the real property located at:
 2 [street address] 15670 120th St Fergus Falls, MN 56537
 3 and legally described as: Sect-25 Twp-131 Range-044 Lots 1 & 2-Life Estate to Walter Bergerud
 4

5 Offer Tail _____ County, Minnesota [the "Property"].
 6
 7

8 **Minnesota Statutes Section 1031.235 Real property sale; disclosure of location of wells.** Subdivision 1. Disclosure of wells
 9 to buyer. (a) Before signing an agreement to sell or transfer real property, the seller must disclose in writing to the buyer
 10 information about the status and location of all known wells on the property, by delivering to the buyer either a statement by the
 11 seller that the seller does not know of any wells on the property, or a disclosure statement indicating the legal description and
 12 county, and a map drawn from available information showing the location of each well to the extent practicable. In the disclosure
 13 statement, the seller must indicate, for each well, whether the well is in use, not in use, or sealed.

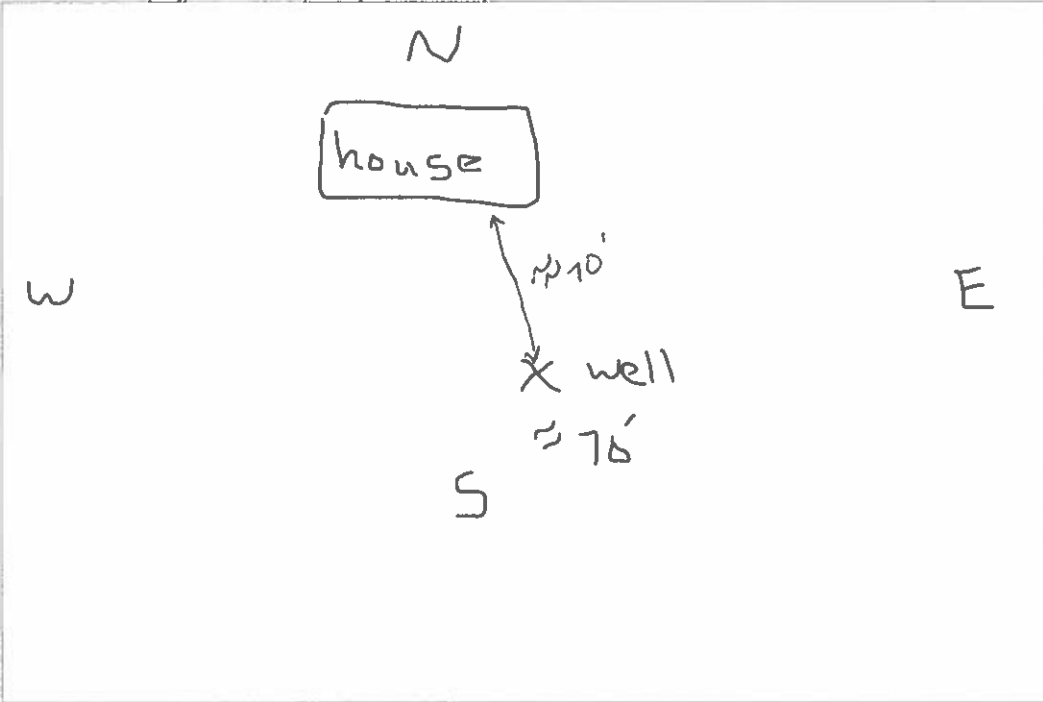
14 The sealing of a well must be done in accordance with the rules adopted by the Minnesota Commissioner of Health. Minn. Stat. Section 1031.301,
 15 Subdivision 4.
 16

17 Seller discloses that there are _____ Wells on the Property.

18 For each well on the Property, check the appropriate columns:

	In use	Not in use	Sealed
19 Well No. 1		X	
20 Well No. 2			
21 Well No. 3			
22 Well No. 4			

23 All wells on the Property, known to Seller, are depicted on this map:



50 At closing, Seller shall provide a Well Disclosure Certificate that complies with the requirements of Minnesota Statutes Section 1031.235.
 51

52 **Minnesota Statutes Section 1031.235 Subd. 2. Liability for failure to disclose.** Unless the buyer and seller agree to the contrary,
 53 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
 54 and knew or had reason to know of the existence or known status of the well, is liable to the buyer for costs relating to sealing
 55 of the well and reasonable attorney fees for collection of costs from the seller, if the action is commenced within six years after
 56 the date the buyer closed the purchase of the real property where the well is located.

Seller(s) signatures: Virginia Olson

Buyer received this Disclosure on [date]: _____

Buyer(s) signatures: _____