



Well Disclosure Certificate Instructions and Form

Well Disclosure Statement

Prior to signing an agreement to sell or transfer real property, the seller must **always** disclose in writing (well disclosure statement) the location and status (well status defined below) of all wells on the property to the buyer, along with the legal description and county of the property, and a sketch map showing the location of each well or indicate there are no wells on the property.

Well Disclosure Certificate

A Well Disclosure Certificate is required to be filed when there are wells on the property.

- At the time of closing, the well disclosure statement information, along with the property buyer's name and mailing address, must be provided on a Well Disclosure Certificate (WDC) form. When recording a deed or other instrument of conveyance requiring a Certificate of Real Estate Value (CRV), a completed WDC must be filed with the county recorder, including a \$50 fee payable to the county recorder.
- If there is a previously filed WDC and the number of wells and/or the well status has changed, a new WDC must be filed. You may search for previously filed WDCs at:
[Well Disclosure Certificate Information \(www.health.state.mn.us/wdclookup\)](http://www.health.state.mn.us/wdclookup).
- If the number and status of wells on the property remain unchanged since the previously filed WDC, a statement must be placed on the deed or other instrument of conveyance that reads *"I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate."* This statement must be certified by the buyer or seller and no WDC is required.

If there are no wells on the property, a Well Disclosure Certificate is not required to be filed. However, the Seller must certify a statement on the deed or other instrument of conveyance that reads *"The Seller certifies that the Seller does not know of any wells on the described real property."*

Instructions for Completing the Well Disclosure Certificate

A \$50 fee must be included when submitting this form to the county recorder's office. The fee is to be paid by the buyer or person filing the deed. Please make the check payable to the County Recorder. A copy of this WDC should be provided to the property buyer at the time of closing.

Property, Buyer, and Seller Information

- A. Property Location Legal Description** – Provide the county name; "unplatted" a metes and bounds description (quarter [one quarter section is required] or government lot, section, township, and range number); and/or "platted" (lot number and/or block number, and addition name); property street address (if applicable), and city (this is the physical location of the property not the mailing address); property ID number or parcel number (optional). Attach a complete legal description of the property.
- B. Property Buyer Mailing Address After Closing** – Provide the buyer's full name (or company name if buyer is a company), full address, and phone number (including area code). Be sure to include a complete mailing address. If the property is jointly owned, provide the name and complete mailing address of the contact person.

Seller's Name – Please provide the name of the seller in space provided (please print).

- C. Certification by Seller** – The seller (or designated representative) should sign this certificate before it is submitted to the county recorder’s office. If the seller is unable to sign the document, the buyer (or designated representative) may sign the certificate before it is submitted to the county recorder’s office.
- D. Certification By Buyer** – If the seller is unable to sign the document, the buyer (or designated representative) may sign the certificate before it is submitted to the county recorder’s office. Where deeds are given in fulfillment of a Contract for Deed the WDC **must** be signed by the **buyer** or the person authorized to act on behalf of the buyer.

Signature Required – There must be at least one signature on the certificate.

Well Information

E. Well Location Legal Description – For **each well being disclosed** the following physical location information is required:

- County name, quartile (one quarter section is required), section, township, and range number; **and/or**
- County name, government lot, section, township, and range number; **and/or**
- County name, lot number and/or block number, and addition name.

Well Status Information – Indicate the status of each well. **Check only one box.**

In Use – A well is “in use” if the well is operated on a daily, regular, or seasonal basis. A well “in use” includes a well that operates for the purpose of irrigation, fire protection, or emergency pumping.

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 by a licensed well contractor.

- If the well is “not in use,” is there a Minnesota Department of Health (MDH) variance for this well? Please provide the variance tracking number (TN), if known.
- If the well is “not in use,” is there an MDH maintenance permit for this well? Please provide the permit number, if known.

Sealed – A well is “sealed” if a licensed well contractor has completely filled a well by pumping grout material throughout the entire well after removal of any obstructions from the well. A Well and Boring Sealing Record must be on file with MDH. Contact MDH to verify if a sealing record is on file. A well is “capped” if it has a metal or plastic cap or cover which is threaded, bolted, or welded onto the top of the well to prevent entry into the well. **A “capped” well is not a “sealed” well.**

Important Well Status Information:

- MDH will follow-up with the property buyer regarding any wells disclosed as “not in use.” If a well is “not in use,” the property owner must either return the well to “in use,” have the well “sealed” by a licensed well contractor, or obtain an annual maintenance permit from MDH for \$175.
- Maintenance permits are not transferable. If a well is “in use,” a maintenance permit is not required.
- If the well has been “sealed” by someone other than a licensed well contractor or a licensed well sealing contractor, check the well status as “not in use.”

Additional Well Information – Provide the following information, if known: Minnesota Unique Well Number or Sealing Record Number, date of well construction or sealing, and name of licensed well contractor.

Sketch Map – Complete the sketch map as instructed on the WDC. The location of each well must be indicated. If the location of a well is not known, have the well located by a person qualified to locate wells, such as a licensed well contractor.

If you have questions, please contact the Well Management Section at 651-201-4587 or 800-383-9808.

[Well Disclosure/Property Transfer](https://www.health.state.mn.us/communities/environment/water/wells/disclosures/index.html) (<https://www.health.state.mn.us/communities/environment/water/wells/disclosures/index.html>).

To obtain this information in a different format call 651-201-4600.

County Use Only



MDH Use Only

Well Management Section, P.O. Box 64975, St. Paul, Minnesota 55164-0975
651-201-4587 or 800-383-9808

Well Disclosure Certificate

Please Type or Print all Information

Person filing deed must include a \$50 fee payable to the county recorder.

A. Property Location Legal Description

Attach a legal description of the property.

County		Section No.	Township No.	Range No.	Quarter Section (or Government Lot)	
Lot No(s).	Block No.	Addition Name			Outlot	Tract
Property Street Address						
City/Township			ZIP Code	Property ID No./Parcel No. (optional)		

B. Property Buyer Mailing Address After Closing

First Name		Middle Initial	Last Name	
Company Name (if applicable)				
Mailing Address				
Mailing Address				
City	State/Province		ZIP Code	Telephone No. (including area code)

Provide Name of Seller (please print) _____

C. Certification by Seller

I certify that the information provided on this certificate is accurate and complete to the best of my knowledge.

Signature of Seller or Designated Representative of Seller

Date

D. Certification by Buyer

For fulfillment of a contract for deed, the buyer or person authorized to act on behalf of the buyer, **must** sign a Well Disclosure Certificate if there is a well on the property.

In the absence of a seller's signature, the buyer, or person authorized to act on behalf of the buyer may sign this Well Disclosure Certificate. No signature is required by the buyer if the seller has signed above.

Based on disclosure information provided to me by the seller or other available information, I certify that the information on this certificate is accurate and complete to the best of my knowledge.

Signature of Buyer or Designated Representative of Buyer

Date

Important Note: Minnesota Department of Health (MDH) will follow-up with the property buyer regarding any wells disclosed as not in use. If a well is not in use, the property owner must either return the well to use, have the well sealed by a licensed well contractor or a licensed well sealing contractor, or obtain an annual maintenance permit from MDH for \$175. A copy of this Well Disclosure Certificate should be provided to the property buyer at the time of closing.

Indicate Total Number of Wells on Property_____

Fill out a separate well information page if **more than two** wells are located on the property.

E. Well Location Legal Description

Well No. 1 – If the property legal description has more than one sections, township, or range number; quarter (or government lot); or lot or block number; provide specific legal description information regarding the physical location of this well.

County		Section No.	Township No.	Range No.	Quarter (or Government Lot)
Lot No.	Block No.	Addition Name		Outlot	Tract
Well Status (check only one box) Well is: <input type="checkbox"/> In Use <input type="checkbox"/> Not in Use <input type="checkbox"/> Sealed by Licensed Well Contractor* *Call MDH to verify sealing record is on file. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor, check the well status as not in use. Also see "Important Note" on page 1.					Date of Well Construction or Sealing
If the well is not in use, is there an MDH variance for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the variance tracking number (TN). _____					Name of Licensed Well Contractor
If the well is not in use, is there an MDH maintenance permit for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the maintenance permit number. _____					

Well No. 2 – If the property legal description has more than one sections, township, or range number; quarter (or government lot); or lot or block number; provide specific legal description information regarding the physical location of this well.

County		Section No.	Township No.	Range No.	Quarter (or Government Lot)
Lot No.	Block No.	Addition Name		Outlot	Tract
Well Status (check only one box) Well is: <input type="checkbox"/> In Use <input type="checkbox"/> Not in Use <input type="checkbox"/> Sealed by Licensed Well Contractor* *Call MDH to verify sealing record is on file. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor, check the well status as not in use. Also see "Important Note" on page 1.					Date of Well Construction or Sealing
If Well is not in use, is there an MDH variance for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the variance tracking number (TN). _____					Name of Licensed Well Contractor
If the well is not in use, is there an MDH maintenance permit for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the maintenance permit number. _____					

Sketch Map

Sketch the location of the well(s) and include estimated distances from roads, streets, and buildings. **If more than one well on property, use the well location number above to identify each well.** The location of the well(s) must be provided. If the location of a well is not known, have the well located by a person qualified to locate wells, such as a licensed well contractor.