

# ABANDONED WELLS-Wellhead Protection

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The typical municipal well withdraws large volumes of groundwater. Old abandoned wells have been identified as a pathway for pollution to reach the groundwater and nearby drinking water wells from being polluted.

In 1989 the Minnesota Legislature passed the Groundwater Protection Act to strengthen State and Local programs that protect groundwater and our health including:



- Requiring the seller of a property to disclose to the buyer (and the MDH) the existence and “status” of all wells on their property (MN Stat., section 1031.235).
- Requiring unused (abandoned) wells be sealed by a state licensed well contractor that will prepare a Well and Boring Sealing Record for the well owner and file with the MDH (MN Stat., section 1031.301).
- All abandoned wells in Minnesota are required to be sealed to protect groundwater. Abandoned wells near a public well are a hazard to the drinking water supply of a community.

## Well Disclosure for Property Sellers and Buyers

When a real estate property is sold or transferred, Minnesota Statutes section 103i.235, requires the seller to disclose the number and the status of all wells on the property including a sketch map showing the location of each well. For the disclosure, the status of a well can only be: “in use,” “not in use,” or “sealed.”

If a seller does not disclose a known well, or the seller does not properly disclose the known status of a well to the buyer, the seller may be liable to the buyer for costs related to sealing the well and reasonable attorney fees if an action against the seller is commenced within six years after the closing of the sale of the property.

## Sealing Unused Wells

By law, a well must be sealed if: 1) the well is not in use, and does not have an MDH maintenance permit, 2) the well is contaminated, 3) the well has been improperly sealed in the past, 4) the well threatens the quality of the groundwater, or 5) the well otherwise poses a threat to health or safety.

Only a licensed well contractor may seal a well. *Don't try to seal a well yourself.* Licensed well contractors have the necessary equipment and expertise to seal your well properly. Most important the contractor will prepare and file the necessary records with the MDH that prove you have met your obligation to properly seal the well according to law.

Licensed well contractors are found in the Yellow Pages under *Well Drilling and Service*. The MDH has a list of licensed contractors on their web site: <http://www.health.state.mn.us/divs/eh/wells/lwc/>

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For more information on the City of Walker’s Wellhead Protection Plan please visit <http://www.walker.govoffice.com/> or call (218) 547-5503.