



# Zoo Town Surfers

## **PARTICIPANT AGREEMENT, RELEASE, AND ACKNOWLEDGEMENT OF RISK**

In consideration of the services of Zoo Town Surfers, their agents, owners, officers, volunteers, participants, employees, and all other persons or entities acting in the capacity on their behalf (hereinafter collectively referred to as "ZTS"), I hereby agree to release and discharge ZTS, on behalf of myself, my children, my parents, my heirs, assigns, personal representative, and estate, as follows:

I acknowledge that my participation in outdoor adventure-based activities, such as whitewater kayaking and rafting, entails known and unanticipated risks which could result in physical or emotional injury, paralysis, death, or damage to myself, to property, or to third parties. I understand that such risks simply cannot be eliminated without jeopardizing the essential qualities of the activity. Furthermore, ZTS instructors, guides, and facilitators have difficult jobs to perform. They seek safety, but they are not infallible. They might be unaware of a participant's fitness or abilities. They might misjudge the weather, the elements, or the terrain. They may give inadequate warnings or instructions, and the equipment being used may malfunction.

I expressly agree and promise to accept and assume all of the risks existing in this activity. My participation in this activity is purely voluntary, and I elect to participate in spite of the risks.

I hereby voluntarily release, forever discharge, and agree to indemnify and hold harmless ZTS from any and all claims, demands, or causes of action, which are in any way connected with my participation in this activity or my use of ZTS equipment or facilities, including such claims which allege negligent acts or omissions of ZTS.

Should ZTS, or anyone acting on their behalf, be required to incur attorney's fees and costs to enforce this agreement, I agree to indemnify and hold them harmless for all such fees and costs.

I certify that I have adequate insurance to cover any injury or damage I may cause or suffer while participating, or else I agree to bear the costs of such injury or damage myself. I further certify that I have no medical or physical conditions which could interfere with my safety in this activity, or else I am willing to assume, and bear the costs, all risks that may be created, directly or indirectly, by any such condition.

In the event that I file a lawsuit against ZTS, I agree to do so solely in the State of Montana, and I further agree that the substantive law of that state shall apply in that action without regard to the conflict of law rules of that state. I agree that if any portion of this agreement is found to be void or unenforceable, the remaining portion shall remain in force and effect.

By signing this document, I acknowledge that if anyone is hurt or property is damaged during my participation in this activity, I may be found by a court of law to have waived my right to maintain a lawsuit against ZTS on the basis of any claim from which I have released them herein.

I have had sufficient opportunity to read this entire document. I have read and understood it, and I agree to be bound by its terms.

Signature of Participant \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

### **PARENTS OR GUARDIAN'S ADDITIONAL INDEMNIFICATION**

In consideration of \_\_\_\_\_ (minor's name) ("Minor") being permitted by ZTS to participate in activities and to use its equipment and facilities, I further agree to indemnify and hold harmless ZTS from any and all claims which are brought by, or on behalf of Minor, and which are in any way connected with such use or participation by Minor.

Parent or Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

If you have any questions, requests, or concerns, please do not hesitate to call or email:

(406) 546 – 0370  
waves@zootownsurfers.com

## **Reservation and Deposit Policies**

We operate trips on a daily basis from May through September and look forward to assisting you in creating the ideal river trip for your party or family. All reservations require a 50% deposit to secure the date you select for your group. If necessary a reservation may be changed up until 48 hours of a trip's departure time.

For group bookings a 10% discount is applied to all parties of 10 or more. As group sizes will often change, you may notify us of a change in your group size up until 48 hours of the trip's departure, with no penalty. Trip departure times may also be adjusted to better suit your group. However, we ask that you place your request within two days of your trip date in order to serve you best.

## **Cancellations**

Cancellations made ten or more days before a trip is scheduled will receive a full refund. For cancellations 2-9 days before a trip, a 50% refund or alternative booking will be issued at your discretion. Refunds will not be issued for cancellations made within 48 hours of a trip's departure time. No-shows are also non-refundable. Zoo Town Surfers furthermore reserves the right to cancel a trip at any time, if it: is faced with unsuitable weather conditions or the river conditions are deemed unsafe. If Zoo Town Surfers is forced to cancel a trip, you will be notified immediately and a full refund or alternative booking will be arranged.

## **Personal Responsibility and Safety Statement**

Zoo Town Surfers and its agents make every effort to provide you a fun trip. Our staff will give instructions before each trip and it is important that you listen and follow their advice. You will assume the responsibility for many decisions affecting your safety during the trip. The activities undertaken can be physically demanding with inherent elements of risk and danger beyond our control. We do not assume liability for personal injury or death. You must sign an Acknowledgement of Risk form and go at your own risk. We offer trips requiring various degrees of fitness. In doing so we are not qualified to evaluate your fitness so you must deem what trip is appropriate for your fitness level on any given trip. If you are overweight or in poor physical condition, you should consult your physician before the trip.

## **Deciding which trip is for you ...**

By calling our office, one of our guides will be able to assist you with deciding which trip is most suited to your group and its needs. At most flows the Alberton Gorge is an excellent family whitewater trip for ages five and up. In May and early June, however, the river is higher and colder than during the summer and we reserve the right to raise the minimum age to 14 years for your group's safety.

## **Deciding what to bring ... from head to toe.**

### **In July and August:**

- Tennis shoes, neoprene booties, or sports sandals — providing adequate protection
- A Hat or visor
- A strap or device for securing your eyeglasses or sunglasses
- Your swimsuit or shorts
- Sunscreen
- Dry clothes for the ride home

### **All other months (when the weather and water can be colder):**

- A fleece or wool sweater/pullover – pile, polypro, capilene are all good choices – NO COTTON!
- A raincoat or paddle jacket
- Rain pants
- A wool or synthetic stocking cap

## **DIRECTIONS**

\*\*\* ALL LESSONS AND TRIPS WILL MEET AT THE FOLLOWING LOCATIONS UNLESS ARRANGED SPECIFICALLY WITH YOUR GUIDE OR INSTRUCTOR.

### **TO CARAS PARK – MEETING SPOT FOR ALL KAYAK LESSONS AND TRIPS**

FROM I-90

Take the Orange Street Exit (Exit 104) into Missoula. Continue on Orange Street, through two streetlights, to the third intersection with Front Street. Take a left on Front Street and then take the third right (down the hill) to Caras Park. We meet our clients in the parking lot by the public restrooms and will be waiting in one of our silver passenger vans

### **TO CRYSTAL SPRINGS – MEETING SPOT FOR ALL ALBERTON GORGE RAFT TRIPS**

FROM MISSOULA

Drive west on I-90. Approximately 10 miles past the town of Alberton take the Fish Creek Exit (Exit 66). Immediately after exiting, head north (right) toward the river (you will see the purple cliffs of the Gorge) and cross the railroad tracks. After crossing the tracks you will come to a T intersection, take a left. Follow the Old Hwy 10 frontage road for 1.5 miles (you will know you are on the correct road if you cross the river alongside both the interstate bridges and railroad bridges within a quarter mile of the T intersection – this is Triple Bridges) until you cross under the interstate. Immediately after the interstate, you will see Crystal Springs on your left, enter the driveway marked by the kayak and park against the berm in the grassy area on your left.

FROM COEUR D'ALENE & SPOKANE

Note: Remember the time change, Montana is on Mountain Standard Time!

Drive east on I-90 to Montana from Coeur d'Alene. Approximately 66 miles from the Idaho/Montana boarder, take the Fish Creek Exit (Exit 66) off I-90 (keep an eye out just after passing the Tarkio Exit). At the stop sign off the exit, head north (left) and drive across the railroad tracks. Immediately after the tracks you will come to a T intersection, take a left. Follow the Old Hwy 10 frontage road for 1.5 miles (you will know you are on the correct road if you cross the river alongside both the interstate bridges and railroad bridges within a quarter mile of the T intersection) until you cross under the interstate. As soon as you cross under the interstate, you will see Crystal Springs on your left, enter the driveway marked by the kayak and park against the berm in the grassy area on your left.

### **TO THE BONNER EXXON TRAVEL CENTER - MEETING SPOT FOR ALL BLACKFOOT RIVER TRIPS**

FROM I-90

Take the Bonner Exit (Exit 110) several miles east of Missoula and follow the signs to the Travel Center. Our guides will be waiting for you in one of our silver passenger vans in the large parking area between the gas pumps and the River City Grill Restaurant.

### **TO THE CONOCO CLOCKTOWER – MEETING SPOT FOR ALL BITTERROOT RIVER TRIPS**

FROM I-90

Take the Reserve Street Exit (Exit 101) and head toward Missoula. Continue south on Reserve Street (Hwy. 93) through Missoula for approximately 5 miles until you come to the intersection with Brooks Street (Hwy. 12). Take a right at the intersection heading south on Hwy. 93/12 for approximately a half mile. Just prior to the next stoplight you will see the Conoco Clocktower on your right, directly across the street from Wal-Mart. Our guides will be waiting for you in the Conoco Clocktower parking lot in one of our silver passenger vans.