



# Big South Fork Adventures, Waiver and Release of Liability

Dean King Road, Pine Knot KY 42635

[www.bigsouthforkadventures.net](http://www.bigsouthforkadventures.net) | (606)310-5159

## Waiver and Release of Liability

In consideration of the services /activities provided by Big South Fork Adventures LLC, their officers, agents, employees and stockholders, all other people or entities associated with those services/activities (hereafter collectively referred to as BSFA), I the participant/guest/customer and/or the legal guardian agree as follows:

The risk of injury while participating in any BSFA "On Water" activities and as consideration for the right for to participate in the Activity and its related events and activities,

I \_\_\_\_\_, the participant acknowledges and agrees that: The risk of injury from the activities involved in the "On Water" Activity is significant, including the potential for permanent paralysis and death, and while skills, guide training, equipment, and personal discipline may reduce this risk, the risk of serious injury does exist; and,

1. I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES or others and assume full responsibility for my full participation.
2. I agree to comply with the stated and customary terms and conditions for my participation.
3. I have watched and fully understand the [Whitewater Safety Video](https://www.youtube.com/watch?v=EljMIFKrWq0) (https://www.youtube.com/watch?v=EljMIFKrWq0) and will wear the assigned PFD and safety helmet when participating in the "On Water" Activity. If, however, I observe any significant unusual hazards during my presence or participation, I will remove myself from participation and bring such to the attention of Big South Fork Adventures Guides.
4. I will not stand up in swift water and will actively participate in our rescue. I understand "On Water" activities is a dynamic Activity and any personal items I bring on the trip could be lost and irretrievable. Big South Fork Adventures, the United States, Big South Fork NRRRA NPS, Cumberland Falls State Park and Daniel Boone National Forest personnel, staff and its affiliates are not responsible for any loss of or stolen property. **Do not bring vehicle keys on any water-related trips.**
5. I understand that during the trip I may encounter various wildlife, including poisonous snakes, and insects and I will treat all wildlife with respect and will not approach or handle wildlife.
6. I am responsible for my mental and physical qualifications to participate in the activities, I certified I am physically and mentally capable of successfully completing this Activity.
7. Big South Fork Adventures has the right to cancel any trips that are deemed unsafe and will offer customary credits or rescheduling of the trip based on the reason. No refund will be offered for "No Shows". The consumption of Drugs or Alcohol is not allowed on any Big South Fork Adventures LLC expeditions and/or trips.



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- I know that trip locations could be extremely remote, and any emergency services needed will not be immediate, and I will incur all costs directly or indirectly associated with those emergency services.

I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin, HEREBY RELEASE, INDEMNIFY, AND HOLD HARMLESS, Big South Fork Adventures LLC, Pine Knot, KY, their officers, officials, agents and/or employees, other participants, sponsoring agencies, sponsors, advertisers, and, if applicable, owners and lessors of premises used for the activity ("Releasees"), WITH RESPECT TO ANY AND ALL INJURY, DISABILITY, DEATH, or loss or damage to person or property associated with my presence or participation, WHETHER ARISING FROM THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE, to the fullest extent permitted by law.

I further waive liability of the United States, the State of Kentucky, Big South Fork NPS, Cumberland Falls State Park and the Daniel Boone National Forest and its officers and employees from liabilities for injuries, damages, personal property losses resulting from the participation of the Activity. I agree that any part of this agreement is found by a court or appropriate body to be invalid. The remainder of this agreement shall be in full force and effect.

I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

Printed Legal Name

Date:

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Signature

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