



NORTH AMERICAN RIVER RUNNERS, INC.

SINCE 1975

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NORTH AMERICAN RIVER RUNNERS, INC.
dba WEST VIRGINIA RIVER ADVENTURES, INC.
dba NORTH AMERICAN RIVER RAFTERS, INC.

P.O. Box 81, Hico, WV 25854

READ CAREFULLY

ASSUMPTION OF RISK, RELEASE OF LIABILITY, and MEDICAL TREATMENT AUTHORIZATION FOR AN ADULT

I am aware that during the whitewater expedition in which I am voluntarily participating under the arrangements of North American River Runners, Inc., West Virginia River Adventures, Inc., and/or North American River Rafters, Inc. and their agents, employees and associates [hereinafter called "Releasees"], certain substantial risks and dangers exist or may occur, including but not limited to, (1) hazards of traveling on a raft or other whitewater craft in rough river conditions; (2) using paddles or oars and other whitewater equipment; (3) latent or apparent defects or conditions in equipment or property supplied by Releasees; (4) contact with plants or animals; (5) hiking in rugged terrain; (6) accident or illnesses in areas remote from medical facilities and first aid, emergency treatment or other services rendered; (7) the forces of nature and rapidly changing weather; (8) submerged, partially submerged and undercut rocks and man-made items; (9) changing currents and turbulent water conditions; (10) travel by automobile, bus, horse or other conveyance; (11) condition of roads, trails, waterways or terrain, and accidents connected with their use; and (12) consumption of food or drink. I also understand that whitewater activities can demand strenuous physical exertion, which requires me to be in good physical health. I agree to disclose to North American River Runners, Inc., West Virginia River Adventures, Inc., North American River Rafters, Inc. and the trip leader or trip guide any physical condition that may limit my participation in this whitewater expedition.

I understand that West Virginia law imposes certain express responsibilities upon participants of whitewater activities. I have read and understand the participant duties imposed by the West Virginia Whitewater Responsibility Act [W. VA. Code § 20-3B-4], which are set forth on the reverse side of this document, and by my signature below, I expressly agree to be bound by those participant duties.

In consideration of and as part payment for the right to participate in this whitewater expedition and other activities and services arranged for me by the Releasees, **I UNDERSTAND AND EXPRESSLY ASSUME FOR MYSELF, MY HEIRS, ASSIGNS, LEGAL REPRESENTATIVES, EXECUTORS AND ADMINISTRATORS, ALL OF THE RISKS AND DANGERS WHICH MAY BE ENCOUNTERED PRELIMINARY TO, DURING, AND SUBSEQUENT TO THIS WHITEWATER EXPEDITION. I FURTHER RELEASE AND AGREE TO INDEMNIFY AND HOLD THE RELEASEES HARMLESS FROM ANY AND ALL LIABILITY, ACTIONS, CAUSES OF ACTION, AND CLAIMS OF ANY KIND OR NATURE WHATSOEVER, WHETHER FORESEEN OR UNFORESEEN, ARISING OUT OF MY PARTICIPATION IN THIS WHITEWATER EXPEDITION AND ASSOCIATED ACTIVITIES ON ACCOUNT OF INJURY OR LOSS TO MY PERSON OR PROPERTY, EVEN INJURY RESULTING IN DEATH, WHETHER CAUSED BY NEGLIGENCE, BREACH OF CONTRACT, OR OTHERWISE, WHICH I MAY EVER HAVE AGAINST THE RELEASEES, THEIR SUCCESSORS, ASSIGNS, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES, OR AGENTS.** In recognition of the risks, which I am assuming by voluntarily participating in these activities, I hereby give North American River Runners, Inc., West Virginia River Adventures, Inc., North American River Rafters, Inc. and their agents and employees permission to treat me and to authorize medical treatment of me in the case of an emergency or accident. **I ALSO EXPRESSLY COVENANT AND AGREE NOT TO SUE NORTH AMERICAN RIVER RUNNERS, INC., WEST VIRGINIA RIVER ADVENTURES, INC., NORTH AMERICAN RIVER RAFTERS, INC., OR THEIR AGENTS OR EMPLOYEES FOR ANY INJURY OR DAMAGES OF ANY KIND WHICH MAY OCCUR AS A RESULT OF THIS WHITEWATER EXPEDITION AND ACTIVITIES ASSOCIATED THEREWITH.**

I understand and agree that this document is intended to be a legally binding contract and is to be interpreted under the laws of the State of West Virginia and that if any portion of this document is held invalid, the remaining provisions shall continue in full legal force and effect. This document contains the entire agreement between myself and the Releasees.

I certify that I am eighteen (18) years of age or older.

I HAVE CAREFULLY READ THIS DOCUMENT, UNDERSTAND ITS CONTENTS AND SIGN IT AS MY OWN FREE ACT. I CAN READ AND UNDERSTAND THE ENGLISH LANGUAGE.

DATE _____ SIGNATURE _____

DATE OF BIRTH ____ / ____ / _____

READ CAREFULLY

DUTIES OF PARTICIPANTS

THE WEST VIRGINIA WHITEWATER RESPONSIBILITY ACT (W. VA. CODE § 20-3B-1 THROUGH 5) imposes the following duties on participants in whitewater expeditions:

- (a) Participants have a duty to act as would a reasonably prudent person when engaging in recreational activities offered by commercial whitewater outfitters and commercial whitewater guides in this state.
- (b) No participant may:
 - (1) Board upon or embark upon any commercial whitewater expedition when intoxicated or under the influence of nonintoxicating beer, intoxicating beverages, or controlled substances; or
 - (2) Fail to advise the trip leader or the trip guide of any known health problems or medical disability and any prescribed medication that may be used in the treatment of such health problems during the course of the commercial whitewater expedition; or
 - (3) Engage in harmful conduct or willfully or negligently engage in any type of conduct which contributes to or causes injury to any person or personal property; or
 - (4) Perform any act which interferes with the safe running and operation of the expedition, including failure to use safety equipment provided by the commercial whitewater outfitter or failure to follow the instructions of the trip leader or trip guide in regard to the safety measures and conduct requested of the participants; or
 - (5) Fail to inform or notify the trip guide or trip leader of any incident or accident involving personal injury or illness experienced during the course of any commercial whitewater expedition. If such injury or illness occurs, the participant shall leave personal identification, including name and address, with the commercial whitewater outfitter's agent or employee.

§ 20-3B-4 W. VA. CODE

PARTICIPANT INFORMATION

Trip Date Number in your party Are you the organizer? Yes No

Check-In Time : Group Organizer _____

Type of trip: Upper New River Lower New River Lower Gauley River Upper Gauley River
 Express Overnight High Adventure Other _____

Name Home Phone

Street Work Phone

City State Zip - Email _____

Have you rafted with us before? Yes No If yes, when? _____

Do you wish to receive our e-newsletter? Yes No How did you hear of us? _____

Where did you stay while here? _____

What activities did you enjoy while here? _____

By completion of this form I irrevocably authorize North American River Runners, Inc., West Virginia River Adventures, Inc. and North American River Rafters, Inc. to copyright, use and publish for any legal purpose whatsoever, any and all photographs of me which may be taken during this expedition without further compensation to me. It is my responsibility to inform the outfitter of any special needs or limitations, including prohibiting photography. All such photographs shall be solely the property of the above-named whitewater outfitters.