

ADVENTURES OUT WEST

PILOT _____

DATE _____

AGREEMENT TO PARTICIPATE AND ACKNOWLEDGMENT OF RISK

I am aware that the hot air balloon activity that I am participating in, under the arrangements of Marketing Services Inc. of Pueblo, Adventures Out West, (MSI, AOW); their agents, employees, and associates, involves inherent risks.

I recognize that a balloon flight is a physical activity similar to rafting and horseback riding, and has an element of risk which combined with the forces of nature, acts of commission, or omission, by participants or others, could lead to injury or even death.

Personal possessions such as cameras, binoculars, video cameras, etc. are permitted, but are frequently lost, broken, stepped on or run over by vehicles. AOW accepts no responsibility for your possessions no matter what the cause of their damage or loss.

I also state and acknowledge that the hazards include, but are not limited to collision with the ground upon landing, or collision with objects on the ground both man made and natural. I understand that when landing it is not unusual for the balloon basket to tip on its side subjecting the passengers to physical contact with each other and the sides of the basket. The degree of force will vary depending on wind speed and rate of descent of the balloon, neither of which can be fully determined in advance of the flight or controlled by the pilot. Under normal landing conditions, some bruises and/or abrasions are possible. While walking to or from the balloon basket there will be irregularities in terrain or man made obstacles, such as fences, that would cause me to injure myself if I am not personally vigilant to avoid them.

I understand that the pilot is not a medical professional and cannot assess my physical or emotional condition. I have consulted my personal physician or taken whatever steps I deem necessary to determine that I and my family (including minor children) are in good health with no physical or psychological problems or illness that might limit my participation; and, that I and my family have the physical strength and presence of mind to handle the physical exertion, hazards of landings, adverse weather conditions, flying at altitudes of up to 12,000 feet above sea level, and all similar conditions associated with the activities for which we have contracted.

I understand and acknowledge that no medical benefits will be provided to me during this event. I affirm that I have medical insurance or personal financial sources sufficient to cover the cost of rescue, transportation and/or medical treatment that I may require, and agree to pay such expenses incurred on my behalf. I understand that if I am injured or become ill that medical help may be delayed or not available because this activity occurs in remote areas.

Further, in consideration of and as part payment for the right to participate in this flight or other activities provided to me by MSI, AOW, their agents, employees and associates, I have and do hereby assume all the above risks and will hold MSI and AOW their agents, employees and associates, harmless from any and all liability, including negligence, claims, and demands of any kind or nature whatsoever which I now have or which may arise out of, or in connection with this flight or participation in other related activities. Related activities include, but are not limited to assisting as crew, observing or participating during inflation or deflation procedures; packing and unpacking the equipment; and ground travel.

The terms of this contract shall serve as a release and assumption of risk for my heirs, executors and administrators and for all members of my family, including any minors accompanying me. **The proper venue for any action arising out of this balloon flight, whether contract or tort, shall be in the State Courts of El Paso County, Colorado.**

IF YOU CHOOSE NOT TO FLY THERE IS NO FINANCIAL PENALTY.

SIGNATURE

PRINT NAME

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12. _____

LANDING INSTRUCTIONS--ASK QUESTIONS!

95% of landings are at lower speeds in the range of 1 to 5 MPH. We want you to be prepared for this typical landing and the unusual case where we could encounter stronger winds and a faster landing. The pilot will tell you what to expect before the landing.

1. THE IMPACT AT LANDING WILL BE HARDER THAN YOU EXPECT.

Balloon baskets have no wheels and no springs. You do not glide in and roll. You float gently for an hour and then bump the ground when you land. **For the inexperienced person the impact with the ground is always surprising.** In little or no wind the landing is relatively gentle, but the faster the wind is blowing the harder the contact. Protective headgear is available for all passengers.

2. HANG ON TIGHT AND STAY INSIDE THE BASKET.

Have a firm grip on the handles or uprights when we land and understand which direction the balloon is landing. Ask the pilot how best to hang on. You may physically contact the other passengers and the sides of the basket. Do not get out of the basket until instructed to do so by the pilot.

3. STAY LOW AND BEND YOUR KNEES TO ABSORB THE SHOCK.

The basket is very sturdy and provides protection from the ground and obstacles. Keep your hands and arms inside the basket. Stay low so that you can better balance and stay inside the basket where you are protected. Bend your knees but do not sit on the floor. Stay inside the basket.

4. OVER 5 MPH YOU WILL HIT OR BOUNCE MORE THAN ONCE.

If the landing is over 5 MPH (a brisk walk), we will hit the ground, bounce up slightly, and then hit again two or three more times. Depending on wind speed and terrain features these additional impacts can be easier or harder than the original impact. It is possible in higher winds for the basket to tip on its side when landing and that the basket will drag for some distance before it comes to a full stop.

5. SECURE ALL PERSONAL BELONGINGS INCLUDING EYE GLASSES BEFORE LANDING.

We cannot be responsible for your cameras, binoculars or eye glasses. If you are holding these items in your hands you cannot hold on adequately when landing. Stow these items inside your jacket or pockets before the landing.