

WAIVER OF LIABILITY AND ASSUMPTION OF RISK

Drafted 17 April 2019

Palmetto Falls Water Park Morale, Welfare, and Recreation (MWR) Summer 2019

1. **Description of Activities and Risks:** I, the undersigned, wish to participate in the Palmetto Falls Water Park, sponsored by MWR. The water park consists of the following attractions: eight hundred (800) inch lazy river, a “loopy loop” slide, two speed slides, a kiddie pool, a family pool, a lap pool, and a playground area. I understand that although not designed to put anyone at risk, there are possible inherent risks associated with my participation in this activity. Those risks include, but are not limited to, minor to serious head injuries, bodily injuries, such as, but not limited to, sprains, strains, and broken bones, injuries due to slips and falls, heat exhaustion/heat stroke, natural and man-made obstacles, injuries associated with physical activity or exertion, dehydration, dizziness, fainting, environmental hazards, harmful or dangerous actions of other participants, and equipment malfunctions. Furthermore, the participant will be engaging in water based activities. The participant agrees to the risk of traversing wet surfaces which can be slippery and contribute to and/or cause falls, which can lead to serious injury. Additionally, the participant agrees to the risk of encountering physical contact, which may be harmful and/or aggressive within the confines of the attractions. In addition, I realize that these risks associated with this activity include personal injury, death, or damage to or loss of personal property.
2. **No Financial Responsibility for Equipment:** It is my responsibility to secure the personal equipment in a safe manner in order to prevent the personal equipment from damaging or harming other participants and other participants’ equipment or equipment owned and operated by Fort Jackson, as I am financially responsible for all damages to all property caused by myself or my equipment.
3. **Certification:** By signing this agreement, I attest that I do not have any medical condition that would affect my ability to participate in the activities described in Paragraph 1. I agree to follow all posted instructions and verbal instructions given by the water park employees.
4. **Waiver:** Despite the risks associated with the activities described in Paragraph 1, I wish to participate in the Palmetto Falls Water Park sponsored by MWR. **I hereby waive and release the Department of the Army, the United States Government, and any Non-Appropriated Fund Instrumentalities, from any and all claims for personal injury, wrongful death, or damage to or loss of personal property associated with my participation in the activities described in Paragraph 1 that results due to the negligent act or omission of a federal employee or defects in equipment. Further, I waive the right to file suit against the United States Government for claims arising from my participation in the activities described in Paragraph 1 that results due to the negligent act or omission of a federal employee or defects in equipment. I assume all of the risks associated with my participation in the activities described in Paragraph 1, and I hold harmless the Department of the Army, the United States Government, and any Non-Appropriated Fund Instrumentalities for any claims for personal injury, wrongful death, or damage to or loss of personal property associated with my participation in the activities described in Paragraph 1 that results due to the negligent act or omission of a federal employee or defects in equipment.**

Signature of Participant/Parent or Guardian _____ Date _____

Name of Participant _____

Street Address _____ Phone _____

City, State, Zip Code _____