

RELEASE, WAIVER AND ASSUMPTION OF RISK

Name: _____

Date: _____

This agreement is a legally binding release, waiver of liability, and assumption of risk voluntarily made by: _____ (name), myself, and on behalf of my child(ren) (if applicable) for the benefit of the Mescalero Apache Tribe (hereinafter referred to as "Mescalero").

I, the undersigned, hereby acknowledge that I am over the age of eighteen (18) and have voluntarily elected to isolate at a designated Tribal Isolation Site (the "Site"); this includes travel to and from the Site and my presence at the Site for the duration of my presence at the Site. I understand that my isolation involves dangers, hazards and risks, including the risk of damage to property and/or physical injury. The dangers, hazards and risks may arise from my own actions, inactions or negligence; from the actions, inactions or negligence of others; or from the condition of premises, travel conditions, weather conditions or natural disasters. I knowingly and voluntarily agree to assume all risks of isolation.

I understand and agree that Mescalero will not be responsible for any damage to or loss of property or for any personal injury that occurs during or as a result of my isolation at the Site. In consideration for the opportunity to isolate at the Site, I, on behalf of myself, my personal representatives, heirs, executors, administrators, agents and assigns, hereby voluntarily release and agree to hold Mescalero harmless from any claim, demand, action or expense that may arise from my participation in the Event, including any loss of or damage to property or any personal injury. This release extends to the officers, members, employees and agents of Mescalero, and this release is binding on my heirs and assigns.

I acknowledge that prior to signing this release, waiver and assumption of risk, I have had an adequate opportunity to read this release and to ask any questions I may have. Any questions have been answered to my satisfaction.

I acknowledge that the Mescalero Apache Tribe is a federally-recognized Indian tribe that retains all sovereign rights, including sovereign immunity from unconsented suit. I understand that the Tribe has made no waiver of immunity, and is not subject to the civil jurisdiction of state or federal courts. Further, I understand that the Site is wholly owned and operated by the Mescalero Apache Tribe.

By my signature below, I affirm that I have read and fully understand the provisions of this agreement, and that I agree to be bound by its terms.

Signature: _____

Print name: _____