



# THREE OAKS RECREATION AREA – SCUBA ZONE DIVER USE AGREEMENT

## Waiver and Release of All Claims & Assumption of Risk

Please read this form carefully and be aware that, in consideration for participating in diving at the Three Oaks Recreation Area, you will be waiving and releasing any and all claims you may have for injuries you or your minor child/ward might sustain as a result of participating in this activity and/or any activity associated with or connected with scuba diving. I recognize and acknowledge that there are certain known and unknown risks of physical injury to persons diving at the Three Oaks Recreation Area and all activities in connection with diving and I voluntarily and fully choose to assume any and all such risks and dangers on behalf of myself and/or minor child/ward.

I hereby fully and forever waive, release and relinquish any and all claims, demands and actions whatsoever that I may have or may accrue to me for any injury of any nature whatsoever, including death of my minor child/ward against the City of Crystal Lake, its officers, employees, volunteers and agents arising out of diving and all activities in connection with scuba diving. I further guarantee to defend, indemnify and hold harmless the City of Crystal Lake against any and all liabilities, claims, damages, losses, costs and expenses resulting from injuries, damages and losses sustained by me or my minor child/ward and arising out of, connected with, or in any way associated with scuba diving and all activities in connection with scuba diving.

I understand that the City of Crystal Lake reserves the right to remove and/or ban any individual from the park/scuba facility for any reason, including but not limited to failure to follow any of the rules and regulations of the park and the scuba diving facility. I understand the hours of operation (weather permitting) are posted and vary as the season and sunlight change and will exit the water a minimum of 30 minutes prior to sunset.

**I have read and fully understand the important information above and on the reverse including warnings of risk, assumption of risk and waiver and release of all claims. Furthermore, by signing below, I am agreeing to abide by the facility rules and policies as explained on the reverse.**

| Instructor Dive Shop Affiliation:        |         |                 | DIVE DATE:           |                                      |                        |
|--|---------|-----------------|----------------------|--------------------------------------|------------------------|
| Dive Instructor Name<br>(Print Clearly)  | Phone # | Diver Signature | Certification Agency | Instructor Number<br>(if applicable) | Out of Water<br>(Time) |
|  |         |                 |                      |                                      |                        |
| Divemaster Name<br>(Print Clearly)       | Phone # | Diver Signature | Certification Agency | Instructor Number<br>(if applicable) |                        |
|  |         |                 |                      |                                      |                        |
| Diver or Student Name<br>(Print Clearly) | Phone # | Diver Signature | Certification Agency |                                      |                        |
| 1  |         |                 |                      |                                      |                        |
| 2  |         |                 |                      |                                      |                        |
| 3  |         |                 |                      |                                      |                        |
| 4  |         |                 |                      |                                      |                        |
|  |         |                 |                      |                                      |                        |
|  |         |                 |                      |                                      |                        |
|  |         |                 |                      |                                      |                        |

## Warning of Risk

The City of Crystal Lake is committed to conducting recreation programs and activities in a safe manner and holds the safety of participants in high regard. The staff continually strives to reduce risks and insists that all participants follow safety rules and instructions that are designed to protect the participants' safety. However, participants and parents/guardians of minor's scuba diving must recognize that there is an inherent risk of injury or death when choosing to participate in scuba diving.

You are solely responsible for determining if you or your minor child/ward is physically fit and/or skilled for the activities contemplated by this agreement. It is always advisable, especially if the participant is pregnant, disabled in any way or recently suffered an illness, injury or impairment, to consult your physician before undertaking any physical activity.

Scuba diving is intended to challenge and engage in the physical, mental and emotional resources of each participant. Despite careful and proper preparation, instruction, medical advice, conditioning and equipment, there is still a risk of serious injury or death when participating in a particular activity, and participants must understand that certain risks, dangers and injuries due to acts of God, inclement weather, slipping, falling, inadequate or defective equipment, failure in supervision, or instruction, poor skill level or conditioning, carelessness, horseplay, premises defects and all other circumstances inherent to indoor and outdoor recreational activities/programs exist. In this regard, it must be recognized that it is impossible for the City of Crystal Lake to guarantee absolute safety.

### Important Three Oaks Recreation Area Facility and Scuba Rules

- Minimum age to dive is 12 years of age. Divers 12-17 years of age must be accompanied by a certified dive instructor or a certified parent or legal guardian during the entire length of the dive.
- All diving must occur within the designated scuba zone marked with buoys. If divers dive outside this area he or she will be prohibited from diving for the rest of the day, and may be prohibited from diving the rest of the year. No refunds will be given.
- All certified divers must show proof of certification and any student divers must register with a certified instructor, assistant instructor or dive master. The certified instructor, assistant instructor or dive master is responsible for supervising all their diving students during their entire visit.
- The dive shops for instructors and dive masters must have on file with the City of Crystal Lake proof of insurance naming the Three Oaks Recreation Area, City of Crystal Lake its officials, employees, volunteers and agents as additional insured.
- All divers must sign liability release and pay required dive fees at the south lake marina boat house; certification cards will be retained until the diver (or class instructor) checks-out and verifies all divers are out of the water/facility.
- Please drop off equipment at the curb and park in main lot. Drop off time at the curb must be minimized to prevent traffic disruptions.
- Non-divers must stay completely out of the water in the diving area - no swimming, snorkeling or wading allowed. Swimming is allowed when it is part of a supervised training course with an instructor or assistant present.
- All certified divers must adhere to the buddy system at all times under the supervision of an instructor and/or dive master; no solo diving allowed. **Dive-flags are required at all times.**
- All divers must be fully equipped to enter the water and must use equipment and systems appropriate for Midwest diving environment.
- Diving will not be allowed if there is a Thunderstorm Warning or Tornado Warning, or when the park is closed for any reason.
- The underwater park is for everyone's use. All divers must be courteous to other divers and share the park responsibly.
- Divers need to provide their own equipment and have the responsibility to insure all equipment is up-to-date and working properly.
- Installation of tents or canopies shall receive the prior approval of Three Oaks Staff.
- In case of inclement weather, at the sole discretion of Three Oaks Staff, the diving area will be closed.
- Participants will be held responsible for loss or damages to Three Oaks Recreation Area property.

**Please note that all participants must read and sign waiver on the reverse side**