WINTER PARK RESORT UPHILL ACCESS POLICY ACKNOWLEDGEMENT AND RELEASE

This Policy Applies Year-Round (except when the Summer Uphill Access Policy is in effect)

Winter Park Resort (the "Resort") and the United States Forest Service ("USFS") encourage the use of public lands. While within the Resort boundary you must abide by this policy. Doing so makes your experience safer and helps us maintain uphill access.

Please read this policy each time you visit the Resort as it is subject to change from time to time without further notice. It is your responsibility to understand the rules within this policy and to abide by them. Failure to do so may result in loss of pass, legal action, injury, or death. If your presence on Resort property presents a hazard or the Resort's staff feels that you are impeding the maintenance operations of the Resort, you may be directed by Resort staff to utilize a different location or leave the resort all together. You must follow such direction.

UPHILL USERS MUST ABIDE BY THE FOLLOWING:

GENERAL UPHILL POLICIES

- **Uphill access does NOT begin for the season until stated on the uphill access page on the Resort's website**, usually in early to mid-December.
- **Uphill access is only permitted between 4:00 AM and 8:00 PM. All uphill users must be off the mountain by 8:00 PM. Anyone on mountain outside of these hours, not with a Winter Park Resort guided group, will be considered a trespasser.**
- Uphill users (including snowshoeing, skiing (telemark or alpine touring), splitboards and/or use of other snow sliding equipment or users with Yaktrax, MICROspikes, or similar traction device) are required to sign this policy and **purchase an UPHILL ACCESS REFLECTIVE ARMBAND** for the CURRENT SEASON prior to commencing any uphill activities each winter season. Uphill armbands from the prior season are not accepted. Uphill armbands may be picked up at Guest Services at the base of Winter Park or Mary Jane.
- Resort provided armbands must be visible at all times when travelling uphill, this includes when descending outside of operating hours.
- Users with armbands who bring guests without uphill access will forfeit their uphill access privileges.
- **Uphill users may NEVER enter the terrain parks or enter closed trails, including trails that have not been opened for the season.** *It is the uphill user's responsibility to ensure a ski run is open before beginning ascent/descent. Accessible closed trails and terrain may be marked or signed from the top, but in most cases will not be marked or signed from the bottom of the trail. Information as to whether a trail is open may be accessed on the Resort website or by checking with Ski Patrol (970-726-1480).* ***If caught on a closed trail you may lose pass and/or be prosecuted for civil and/or criminal trespass.***
- Uphill users must abide by all Resort policies, direction from any Resort employee, and any applicable law including but not limited to the Colorado Ski Safety Act, even though you may not have a lift ticket.
- You may not board a chairlift without a valid lift ticket or pass as this is theft of services and you may be prosecuted.

- **HIKING:** *On-foot access **without** snowshoes, skis, snowboard, bike, or other snow sliding, riding, or traction equipment ("Hiking")* is subject to different access rules and no uphill armband is required. **Hiking is only allowed once the Resort is closed for lift accessed winter season and in accordance with the summer uphill access policy**. For safety reasons, it is recommended that anyone who is Hiking stay on designated Hiking trails, but they are allowed anywhere on the mountain other than bike only trails and areas subject to temporary closures, which may be communicated on site and/or on the Resort website. Please note that avalanche danger may exist anytime there is snow on the ground.

- **CHILD CARRIERS / KID PACKS:** Children in backpacks, child carriers, kid packs, front carriers, or similar wearable child transport devices are **not permitted** while loading or riding chairlifts or gondolas for lift-accessed skiing or snowboarding activities.
    - **Exception**: Guests without skis or snowboards may ride the gondola as foot passengers with a child carrier for sightseeing, dining, hiking, or other non-skiing activities when permitted by Resort operations.
    - **Uphill access with child carriers:** Guests may travel uphill and complete the associated downhill descent with children in carriers only between 4:00 a.m. and 7:30 a.m. and between 4:30 p.m. and 8:00 p.m., seven days a week. Child carriers are not permitted for uphill or downhill travel during Resort operating hours. All such travel is subject to this Policy and all applicable Resort rules, closures, and uphill access requirements.

ONLY THESE TRAILS ARE AVAILABLE TO UPHILL USERS

- **Uphill access is allowed** on any trail that is open that day (or in the case of early morning access, was open the day before) **within the four territories and trails indicated below**:

    - **In the Winter Park Territory:** All trails except Lower Parkway and Parkway Chute during operating hours.

    - **In the Mary Jane Territory**: All trails except double black diamond Extreme Terrain, and the Trestle, Runaway, Sluice Box, and Pine Cliffs pistes and adjacent treed terrain. Please refer to the Uphill Map for specific closure areas. Uphill travel on Corona Way is not recommended prior to 8:00 AM due to heavy snowcat/snowmobile traffic.

    - **In the Parsenn Bowl**: Only Village Way or Parry's Peek, unless the Panoramic Express is actively loading public and then all open trails are available for uphill access.

    - **In the Vasquez Ridge Territory**: All trails, except Lower Egress.

- **Downhill Options:** Upon skinning up, if it is during operational hours you may ski/ride down any open trail, except those within the Terrain Park Territory. If it is outside operational hours, you may only ski/ride down within the four Territories as indicated above. Please reference the uphill access map online.

- ***** Access to terrain parks is strictly prohibited at all times.**

- ***All territories/trails are subject to closures, at any time, due to adverse weather, or any hazard the Resort deems unsafe for uphill travel.***

- For everyone's safety, access to resort property (including but not limited to buildings, vehicles, equipment, ramps, rails, attractions, etc.) is only allowed when:

    - The property is identified as open on the Resort's website or by a team member in person at the property; and

- Access does not require passing any “No Trespassing” or similar signage indicating access is not allowed; and
- You hold the required ticket, pass and/or waiver.
- Entering or using any unauthorized areas is considered trespassing and may result in removal from the Resort and/or further action, up to and including involvement of law enforcement.

UPHILL ACCESS AFTER THE RESORT HAS CLOSED FOR THE SKI SEASON

- **<u>Access AFTER THE RESORT CLOSES for the ski season</u>:** After the Winter Park Territory closes for the ski season, **all trails and mountain facilities are closed** for uphill and downhill access, **<u>except</u> the following trails:**
    - **In the Winter Park Territory:** Lower Hughes, Hughes, Norwegian, and Little Pierre.
    - **In the Mary Jane Territory**: Sleeper.
    - ** If the Mary Jane Territory season is extended, uphill access may continue as normal at the Mary Jane Territory until it closes for the season. Please check the website in case uphill access is suspended during the extended season due to conditions. Access from the Winter Park Territory to the Mary Jane Territory is only allowed if the Winter Park Territory is open. Uphill access is limited to Sleeper after the Mary Jane Territory closes for the season*.
    - Accessing the Resort after it has closed for the season increases the risk of encountering man-made and natural objects, plowed roads, and a variety of vehicles and equipment. Please exercise extreme caution and hang up the skis when the snowpack gets thin.

AVOID GROOMERS, SNOWMAKING, AND RACE TRAINING

- **Trails that are actively being groomed must be avoided at all times.**
- **Uphilling on trails where grooming and/or winch cat operations are taking place is strictly prohibited.** Such work involves cables stretched tightly across runs under an incredible amount of tension and is extremely dangerous. These cables may snap or move suddenly at any time. Impacting them could result in cutting yourself in half and/or cutting off whatever body part impacts the cable, and then you may die. Respect strobe lights and signage and stay far away from any snow cat, even if you do not think it is winching or see any signage or lights.
- Uphill users must **not cross snowmaking lines** (including but not limited to water lines or cables) at any time or interfere in any way with snowmaking operations.
- **Under no circumstances is uphilling allowed on trails where race training may be in progress or racecourses partially erected.** Racers may be present prior to the public skiing and may be difficult to see. Do not cross a racecourse. Do not travel uphill on any ski run being used for race training or race. You will be asked to turn around.
- ***<u>Failing to avoid these hazards could jeopardize the entirety of the uphill access program for all users present and future.</u>***

TRAVEL SMART

- **Stay on the side of the trails** to lessen the risk of collision with downhill traffic.
- **Do not skin up on snowmobile packed tracks.** Likelihood of encountering a snowmobile while skinning in one's tracks is significantly increased.
- **If traveling in the dark, a head lamp and reflective clothing is required.**

- **No boot packing is allowed** except in the Vasquez Cirque Territory where signed or in the Mary Jane Territory where expressly approved by Winter Park Ski Patrol. Boot packs and skin tracks may be used only during hours designated by Ski Patrol.
- Uphill users attempting to enter the Resort from the **Nystrom gate** must proceed directly to Parsenn Bowl unless the Nystrom gate and Cirque is open.

ANIMAL USAGE

- **For safety reasons, animals (including service animals) accompanying an uphill user are only allowed on mountain between 5 p.m. to 8 p.m., and 4 a.m. to 7 a.m. Owners must abide by these guidelines:**
    - Dogs must be under strict voice control or on a leash at all times.
    - It is the responsibility of the owner to remove all waste.
    - Dogs must have light up or reflective collars/clothing.
- All other animals are not permitted on property unless granted explicit consent in writing by Winter Park Resort.
- For service animal accommodations refer to Winter Park's Accessibility Information.

ADVISORY AND AGREEMENT

Be advised: You must sign this Agreement in order to purchase an uphill access armband (the "Pass") to access the Resort and/or to participate in certain uphill activities at the Resort.

I understand, accept, and agree that uphill activities have substantial risk of injury or death due to collisions or encounters with various hazards, including but not limited to, falling and downed trees, tree wells, plowed roads, unstable ice and snow including avalanches, wildlife, explosives, snowmaking operations, snow cats, groomers, winch cat cables, logging operations, vehicles, other persons, and equipment. By accessing the Resort outside of operating hours you are choosing to increase your risk of injury or death.

I understand, accept, and agree that usage of the Pass is subject to risks including, but not limited to, length or occurrence of each season which may be affected by weather, weather-related events, travel advisories, public health or government order, or any other event or occurrence that limits or prohibits the Resort from its operation.

Under Colorado law any person using a ski area for the purpose of skiing, which includes without limitation, sliding downhill or jumping on snow or ice on skis, a toboggan, a sled, a tube, a snowbike, a snowboard or any other device; or for the purpose of using any of the facilities of a ski area, including but not limited to ski slopes and trails is considered a "skier" and, further, that Colorado law provides that a skier using the facilities of a ski area assumes certain "inherent dangers and risks of skiing" as defined in the Colorado Ski Safety Act.

BY SIGNING THIS DOCUMENT, I, ON BEHALF OF MYSELF AND ANY MINORS, (A) ACKNOWLEDGE AND AGREE TO ABIDE BY THIS POLICY, (B) Are voluntarily assuming ALL DANGERS AND RISKS OF SKIING, INHERENT OR OTHERWISE, AND are waiving rights, AND releasing claims in connection with DANGERS AND RISKS ABOVE AND BEYOND THOSE addressed by The Colorado Ski Safety Act, (C) ACKNOWLEDGE THAT THERE MAY BE NO SKIER SERVICES AVAILABLE DURING UPHILL ACCESS TIMES, AND (D) WAIVE, RELEASE, and NOT SUE, MAKE ANY CLAIM OR FILE ANY ACTIONS against INTRAWEST/WINTER PARK OPERATIONS CORPORATION, ALTERRA

MOUNTAIN COMPANY, THE USDA FOREST SERVICE, WINTER PARK RECREATIONAL ASSOCIATION, the City and County of Denver, AND ANY OF THEIR owners, landlords, operators, parents subsidiaries, affiliates, officers, directors, shareholders, members, representatives, employees, volunteers, agents, insurers, as well as any sponsors and equipment manufacturers and distributors (the “Released Parties”) that are based on, arise or result from in whole or in part, from use of the Resort for any Uphill activities and without limitation claims arising out of or resulting from alleged or actual negligence, BREACH OF ANY STATUTORY DUTY, where legally permissible, breach of contract, or breach of warranty by any of the Released Parties.

These rules are for your safety and the safety of the employees at the Resort. Thank you for your cooperation.