

**LOCH LOW-MINN STATEMENT OF UNDERSTANDING LIABILITY RELEASE AND  
WAIVER OF LICENSED SCUBA DIVING INSTRUCTOR TEACHING A CLASS FOR  
CERTIFICATION AND TRAINING BY AUTORIZED TRAINING AGENCY AND  
INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

**INSTRUCTOR:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **DIVE SHOP:** \_\_\_\_\_

**INSTR. #:** \_\_\_\_\_ **INSURANCE:** \_\_\_\_\_

I, \_\_\_\_\_, the above identified licensed scuba instructor, teaching a class to grant Valid Certifications, a duly licensed instructor for the aforementioned agency, make the following representation to the employees and agents of LOCH LOW-MINN, LLC., a Tennessee corporation operating a scuba diving resort at 116 County Road 420, Athens, McMinn County, Tennessee 37303, in order to obtain permission from the said corporation to actually either engage in teaching scuba diving or obtaining air tank refills at the said scuba resort or both, without which representations the corporation would not permit me to either teach or engage in scuba diving or obtain air tank refills or both at their resort;

**REPRESENTATIONS:**

I represent that I am a duly licensed scuba diving instructor teaching a class to grant valid Open Water Certifications in scuba diving issued by the following Agency:

\_\_\_\_\_. I have students attending class, who will be engaged in open water diving at this resort. I represent that each one of my students has signed separate waivers and release forms furnished by the resort prior to entry into the water. For myself, I represent that I teach and I have taught these students a course in scuba diving complying with and in accordance with the Revised Instructional Standards Minimum Course Content for Entry-Level Scuba Certification as approved by the following diving agencies: International Diving Educators Association, Los Angeles County Underwater Instruction, MDEA, National Association of Scuba Diving Schools, NAUI, PADI, PDIC, SI, and the YMCA Scuba Program. I also represent that I am familiar with DAN and have the emergency contact number for the nearest DAN representative offices. For myself, as a licensed instructor, and for my students, I represent that I teach that scuba diving and skin diving, like other sports, often require strenuous exercise, but that unlike many land sports, in the case of diving, the diver is not in a natural terrestrial environment. There are many things that make scuba diving different from other activities, including swimming, and I understand those differences and inherent problems that exist in the practice of scuba diving. As part of my training, I teach that divers should have a doctor's certificate approving their medical aptitude for diving. I caution the reasons behind certain important rules as they relate to both skin and scuba diving. I stress that divers must never dive alone and must always respect the safety precaution of having and being a buddy even in shallow water. I teach that certain basic safety equipment is always a must when diving and that this includes a buoyancy compensator. I teach and know why a scuba diver breathing compressed air must never hold their breath and teach that if a diver was ascending from depth and holding their breath

while breathing compressed air that the air would expand and that the expansion could rupture the delicate ALVEOLI in the diver's lungs. I teach the danger of carbon dioxide buildup, which could lead to unconsciousness if they hold their breath underwater or breathe irregularly. I teach the danger of hyperventilation and the risk of blackening-out when the desire to breathe is suppressed and the oxygen used up. I also teach why a diver must equalize the pressure in their ears and sinus to prevent injury to their ear drums or pain and injury to their sinus membranes.

I also teach the need to respect the dive tables and have taught them to use dive tables, limiting their dives to no decompression dives to avoid the danger of decompression sickness or the bends. I HEREBY REPRESENT TO LOCH LOW-MINN, LLC. THAT I SHALL NOT AND I WILL NOT PERMIT ANY OF MY STUDENT TO ENGAGE IN ANY DIVE OR DIVES ON THE PROPERTY OF THE SAID CORPORATION THAT PURSUANT TO THE U.S. NAVY DIVE TABLES WOULD REQUIRE DECOMPRESSION.

I further represent and acknowledge that at any and all times that I am on the property of LOCH LOW-MINN, LLC, whether I am engaged in actual classes or actually diving or not, that I shall have the custody and control of my aforementioned students and that neither LOCH LOW-MINN, LLC, its employees or agents, nor the record title owners of the premises shall have any duties or rights to control either activities or actions of my students whatsoever. I agree and promise to conduct my class and actually control my class at all times while on the premises, whether in or out of the water.

#### **WAIVER AND ASSUMPTION OF RISK**

I, \_\_\_\_\_ hereby, for both my benefit and for my family, next of kin, and heirs at law, hereby voluntarily release, discharge, waive, and relinquish any and all actions or causes of actions for personal injury, property damage or wrongful death occurring to me or my property and arising from being on the premises and/or the engaging in either skin or scuba diving on the premises of the diving resort operated by LOCH LOW-MINN, LLC., no matter the proximate cause of such personal injury, property damage or wrongful death and I, for myself, my family, next of kin, heirs at law, executors and administrators, assume the risk of scuba diving on these resort premises and waive and release LOCH LOW-MINN, LLC., all its employees and agents and the record title owners of the resort real property from any and all claims or demands whatsoever, either in law or in equity, which I, my family, my next of kin, my heirs at law, executors or administrators may have by reason of any matter or cause in connection with either being on the premises or engaging in scuba or skin diving on said resort property.

**IN WITNESS WHEREOF**, I have signed this legal document on this the \_\_\_\_\_ day of

\_\_\_\_\_ ” \_\_\_\_\_ ”

**INSTRUCTOR:** \_\_\_\_\_

(Signature)

**WITNESSED BY:** \_\_\_\_\_ (Name & Signature)