

NEW WAVE RAFTING CO. PRIVACY POLICY

Effective Date: March 15, 2019

New Wave Rafting Co. respects your privacy, and we are committed to protecting it. We provide this Privacy Policy ("Policy") to describe the personal information that is collected when you sign up to receive email from New Wave Rafting Co. in our online stores, use our websites or other products or services, or when you otherwise interact with us. In addition to this Policy, for certain special offers, areas of our website, or certain services or activities, we may supply different or additional personal information practices and terms specific to those programs.

By using our site, signing up for email, using our other products or services, or otherwise providing information to us, you are accepting the practices described in this Policy.

SCOPE OF THIS PRIVACY POLICY

This Policy applies to personally identifiable personal information, or "personal information," that we collect when you sign up to receive email, shop in our stores, visit any of our websites (collectively, the "site"), or use or access our other products or services. It also applies to personal information we collect when you otherwise interact with us, such as when you make a payment, place an order, sign up for an activity, or contact customer service. This Policy also applies to personal information that we may receive from our partners and third-party sources.

PERSONAL INFORMATION

Personal information under this Policy is personal information that we directly associate with a specific person such as the person's name, address, phone or fax number, email address, account information (e.g., member account, credit card information and online registration), online activities or other specific personal information. Because of the broad range of services and product offerings, we collect other very specific personal information. For instance, we may collect age or date and year of birth and the number of children in your family. Our definition of personal information does not include "aggregate" personal information. This is information that we collect about a group or category of services or people that does not contain any personal information or from which we or our agents remove any personal information.

COLLECTION OF PERSONAL INFORMATION

We collect personal information about you in the normal course of our business when you shop on our site or when you use our services or otherwise interact with us. Various ways in which we may obtain personal information from you are described below.

PERSONAL INFORMATION YOU PROVIDE

We collect personal information that varies with your purchases, interests, and activities and what you chose to provide to us. We collect personal information when you sign up for, purchase, or use our products or services, when you sign up to receive email, or when you email, call or otherwise communicate with us. You may submit personal information with a job application or in your resume that you provide as part of an employment application process. We also collect personal information when you call or email our customer service representatives, or when you contact us about a product or service you have previously purchased. In some cases, the personal information we ask you to provide will be mandatory for purposes of participating in a particular activity or service. If you do not provide this personal information, your participation may be limited or prohibited.

AUTOMATICALLY COLLECTED PERSONAL INFORMATION

We receive certain types of personal information automatically whenever you use our services. For example, when your web browser accesses our site, we obtain certain types of personal information, such as your IP address, country of location, the type of browser you use, and the page you visited before visiting our site.

PERSONAL INFORMATION FROM OTHER SOURCES

We may receive personal information about you from other sources. For example, we may receive creditworthiness or other financial personal information when you fill out a job application. We may also purchase certain personal information from others to better inform you about our products, services, and offers that we think will interest you. This Policy applies to personal information we obtain from other sources as well as to any personal information that we add to or combine with personal information otherwise covered by this Policy.

OUR USE OF PERSONAL INFORMATION

We use the personal information we collect for a variety of purposes; for example, to provide products or services, process and complete transactions, ship or otherwise deliver goods or services, respond to requests, make internal business decisions, evaluate available offers and make decisions about services offered, protect our rights or property, create products and services, anticipate and resolve actual or potential problems with our products and services, and inform you of products, services and offers that we believe you will find of interest.

Below are some additional, more specific examples of how we use personal information:

We use your billing and credit card personal information to process your orders for products and services, to deliver products and services to you, and to bill you for them.

We may use your personal information to verify and validate your identity.

If you submit a job application or resume to us, we may use the personal information in the application or resume to communicate with you and, subject to laws and regulations that govern our consideration of that personal information, to evaluate your qualifications for employment.

We may aggregate information about your activities and services to help us determine your potential interest in other products or services.

For marketing and similar purposes, we may use personal information to offer products and services from us or others.

We also offer opt-out choices, which you may access by clicking on the link at the bottom of the email.

We keep information as a record of our interactions with you. If you place an order or otherwise deal with us or our representatives over the telephone, we may record the conversation. Personal information referenced in the call may be recorded or entered into another media (e.g., a computer). We may also keep logs of online chat and emails we receive from you.

We may provide notice of unauthorized access or other invasions of certain security systems, as required by law or otherwise. We may do so by posting notice on our site or sending notice to any email address we have for you, or by other means. You understand that notice to you will count as notice to others using your account or membership and you agree to pass this notice on to them.

We may use personal information about you to deal with legal process, below, and to comply with corporate laws that allow you to examine certain corporate books and records (such as minutes of member meetings and names and addresses of members entitled to vote).

We may use personal information about you in an attempt to do any or all of these kinds of things: (i) prevent or investigate fraud, crimes, unauthorized use of personal information or the site, or economic or personal harm to anyone; (ii) facilitate product recalls; and (iii) to investigate, protect, defend, or enforce rights and property of Taos Ski Valley or anyone else. In listing these types of actions where we may use personal information, we are not promising to take any such action and we will take or not take such action in our sole discretion. It is impossible to list every lawful use that we might make of personal information and the above examples are not intended to do so - they are only a general description and are for illustration.

DISCLOSURE OF PERSONAL INFORMATION

Except as described in this Policy, our business practice is to not disclose personal information about you outside of New Wave Rafting Co. and its affiliates without your consent. We disclose personal information as follows:

With Your Consent. We disclose personal information about you to third parties with your consent. We may obtain consent from you in several ways, such as in a form or agreement; online, through "click-through" agreements or registration pages; verbally, through interactive voice response; or when your consent is part of the terms and conditions through which we provide you a particular product or service. Your consent is sometimes implicit. For example, if you purchase a product from a store or through our site and ask that it be shipped to your home or other address, you implicitly consent to our disclosure of your name and address to a third-party shipping company to complete delivery, of your credit card number to the credit card processor to authorize the transaction, and to the bank to collect payment.

Product or Service Fulfillment. We may disclose personal information to third parties who complete transactions or perform services on our behalf, transactions on your behalf, or transfers related to providing products or services to you. For example, we may contract with third parties to host a site, collect and provide products reviews, or send our emails. Through contracts with these third parties, we restrict the manner in which they may use and disclose personal information about you without your consent.

Certain Business Transfers. Personal information may be disclosed as part of a corporate business transaction, such as a merger or acquisition, joint venture, corporate reorganization, financing or sale of company assets. It may also be disclosed in the event of insolvency, bankruptcy or receivership in which personal information could be transferred to third parties as one of the business assets in the transaction.

Legal Process; Protection of New Wave Rafting Co. and Others. We may disclose personal information to comply with the law (e.g., a lawful subpoena); to enforce or apply any contracts or agreements; to initiate, render, bill, and collect for products or services; to protect our rights or property; in connection with claims, disputes, or litigation; to protect ourselves, our members, and other customers from the harmful acts of others (e.g., theft, fraud, or abuse); or if we determine disclosure of personal information is necessary in an emergency.

COOKIES, WEB BEACONS AND SIMILAR TECHNOLOGIES

We use "cookies" or other tracking mechanisms to help support the integrity of registration and buying processes on our site, to retain changes that you made (e.g., if you personalize a page), and to learn about your possible interest so that we can try to personalize marketing. A "cookie" is a small data file that our site transfers to your computer for storage to allow our server to "remember" specific personal information. We also use cookies or similar information for typical business purposes such as to administer the site, to track and analyze visitor traffic so that we can adjust the site, and to advertise and promote our products and services. The cookies or other tracking mechanisms collect at least the following: your domain name and host for Internet access; the Internet address of the site from which you came; the date and time of your access; and your computer's IP address and information about its operating system and browser. These technologies help us to combat fraud or misuse and to remember things like: (1) the profile facts you tell us about yourself, (2) your specified areas of interest on our sites, (3) the items you've placed in your shopping basket, and (4) the pages you visit as you shop. In our emails we use "pixel tags" to determine if your email software or service can display html-formatted email (this helps us optimize the size of our messages and conserve bandwidth). You can disable some cookies, but the site won't necessarily function as designed (e.g., cookies must be enabled to register or make purchases).

We also allow collection by analytic service provider(s) of site click-stream and cookie data to help us track aggregate and individual use of our site and determine possible interests of users (e.g., if you read a site article about a ski school product, during a subsequent visit we might present you with an article about our ski & snowboard school).

Some advertisers might use their cookies on our site or in their messages to you. If you click on an advertisement, a cookie might be placed on your computer. To find out how these kinds of companies tend to collect and use information or to take advantage of any opt-out opportunities they provide, visit their sites to see their privacy policies. We do not control these companies, and their practices and policies may change over time.

USE OF LOCATION DATA

When you are accessing this website on a mobile device, we may ask to determine your current location in order to provide you with the most accurate data. We do not share your location information with any third parties. If you are not comfortable with this, you may disable the use of location services in the application settings at any time.

YOUR CHOICES

You may opt out of receiving commercial messages from us and from certain other parties and from our sharing of certain personal information at any time.

ACCESS TO PERSONAL INFORMATION

We do not maintain all personal information in a form that can be accessed or updated by you and some items may not be changed (e.g., transaction records). Accordingly, we will determine what may be accessed and how; we may also keep a record of changes (including deletions) and disclose them for lawful purposes. We keep personal information for as long as we think is necessary or advisable and we reserve the right to retain it to the full extent not prohibited by law. We may discard personal information in our discretion so you should retain your own records. Often it is not feasible or advisable to discard personal information (such as commingled personal information), so we reserve the right to retain it but treat it as inactive or discarded. You may make a request for us to update personal information (that is eligible for updating) by contacting us via email, telephone, or mail contact us for specific addresses and numbers); typically it takes us about seven days to process an update request and we reserve the right to take longer.

SECURITY OF PERSONAL INFORMATION

New Wave Rafting Co. takes physical, electronic, and procedural measures to protect personal information from unauthorized access, use, or disclosure while it is under our control. Even so, security breaches and mistakes can and do happen and we do not guarantee the security of personal information. Except for financial transmissions, you should assume the site is not encrypted. Email communications and online chat are not encrypted, so do not include sensitive personal information in them. "Phishing," imposters, and fake websites are a fact of modern life.

WHAT CAN YOU DO TO PROTECT PERSONAL INFORMATION

At any time, if you believe personal information about you within our control has been accessed by unauthorized persons, please contact us. An important part of ensuring the security of personal information is your own effort to protect it against unauthorized access or use.

CHILDREN

You may provide or we may ask for personal information about children. We do not, however, want to collect personal information from children. Do not provide us any personal information (directly or on site bulletin boards, etc.) unless you are at least 13 years of age. We encourage parents to caution their children not to provide any personal information. If a child under 13 has provided personal information, a parent or guardian may so inform us by writing us at the address noted below, and we will use commercially reasonable efforts to delete it from our database, subject to applicable law and this Policy.

NEWSLETTERS

You may optionally choose to sign up for an email newsletter through various email signup forms throughout our website. When you do so, that information is stored securely by a third-party service whom we use specifically for managing our newsletter sending and subscribership. You can always opt-out of the newsletter at any time. The only information stored about you during registration is the information you provide, such as your name, email address, postal code, and possibly your IP address information, such as your country of location.

OTHER APPLICABLE TERMS

This Policy does not modify or alter any applicable agreement you have or may have with New Wave Rafting Co. Additionally, your use of certain of our products or services (e.g., equipment rentals), or your participation in certain special events or activities, may be subject to one or more applicable agreements, and certain other terms may all apply to your use, purchase, or participation. If this Policy conflicts with any portion of those terms and agreements, those terms and agreements govern to the extent of the inconsistency.

CHANGES TO THIS POLICY

This Policy replaces all previous disclosures we may have provided you about our personal information practices. We will update this Policy if our practices change or if laws or regulations require that we change it. If we decide to disclose personal information in a way that is materially different from that which was stated in this Policy at the time personal information was collected, we will notify you by posting notice of the change on our site and on this page for a reasonable period before we implement that change and, if feasible, will give you an opportunity to opt out of the proposed use of personal information.

HOW TO CONTACT US

We respect your privacy and are committed to effecting the policies described in this Privacy Policy. If you have any questions, comments or concerns about this Privacy Policy or about our privacy practices, please call us at (800-984-1444) or contact us via the method of choice presented on our contact page. You may also direct your privacy-related comments or questions to the following address:

2110 State Rd 68, Embudo, NM 87531

OPT-OUT CHOICES

We will endeavor to process any opt-out request that you make in accordance with the instructions below in a commercially reasonable time.

Printed Materials: to opt out of receiving printed marketing materials at your postal address such as catalogs, flyers and postcards contact us or send a letter to the address above.

Emails: to opt out of further marketing emails, use the method provided in the email (such as clicking on a link).