



Nursery Promotion Rules

The Nursery promotion is an Iowa Department of Natural Resources (“Iowa DNR”) promotion offering a \$100 gift card or certificate from a participating sponsor. Individuals may enter the promotion by purchasing seedlings from the Iowa DNR State Forest Nursery. This promotion runs from Friday, January 15th 12 AM Central Time (CT) 2016 through 4:30 PM CT on Wednesday, February 17, 2016. For each qualifying order purchased, the buyer will receive one entry in the Nursery promotion drawing.

Adventure Ready Prizes and Odds

The value of each gift card or certificate is \$100 at the establishment described on the gift card or certificate. There is no cash option for this promotion. All prizes are subject to DNR validation. Winners may reject the prize, which will then be returned to the vendor providing such gift card or certificate. **ODDS:** The odds of winning a Nursery promotion prize will vary depending on the total number of entries received prior to the drawing.

Entry and Eligibility

Entry into the promotion is accomplished by legally purchasing seedlings from the State Forest Nursery. Anyone 18 years of age or older who lawfully purchases seedlings will automatically be entered into the drawing and eligible to win up to one gift card or certificate throughout the entry period. The entry period for the promotion runs from Friday, January 15th 12 AM Central Time (CT) 2016 through 4:30 PM CT on Wednesday, February 17, 2016. All entries are final. Members of the Iowa Department of Natural Resources’ commissions and Iowa DNR employees and their immediate families, as defined by statute, are not eligible. Further, officers, employees, agents, or subcontractors of any license vendors who have access to confidential information that may compromise the integrity of the Iowa DNR, and their immediate families, as defined by statute, are not eligible.

Opt Out

A person may opt out of participating in the Nursery promotion by (1) rejecting any prize received, or (2) contacting the Iowa DNR at 502 E. 9th Street, Des Moines, IA 50319, Attention: Paul Tauke; or 515-725-8450. A person opting out the program may be required to provide information to Iowa DNR to validate the identity of the person opting out the program.

Drawings

DNR will conduct a drawing on February 18, 2016 following the entry period to determine the winner for the Nursery promotion. Only one gift card will be awarded per individual during the promotional timeframe. The winner will be contacted by DNR to verify his or her eligibility and to ensure DNR has the correct address for purposes of sending the prize. Winners’ names may be posted on the DNR website following the drawing. Entrants are not required to personally attend the drawings or be present at the time of the drawings to be determined a winner. If a prize that is sent to a winner is returned to the DNR, the DNR may declare the prize forfeited by the winner and the winner will have no further right to the prize.

Iowa DNR Discretion

If the DNR director, or the director’s designee, determines that an otherwise valid entry has been foiled by the intervention of a DNR employee the director may authorize the replacement of an eligible entry. This shall be the player’s only recourse against the DNR or its personnel.

Participation Agreement

Unless the person opts out of the promotion as described above, the following is agreed upon: (1) by purchasing seedlings thus entering the promotion, the buyer agrees to be bound by the rules of this promotion and hereby waives any and all claims of liability against the Iowa DNR, any organizations donating prizes or otherwise affiliated



with sponsoring the Nursery promotion, and their employees and agents; (2) by claiming the prize, the winner authorizes the use, without additional compensation, of his or her name and/or likeness and/or voice/photograph and municipality of residence for promotion and/or advertising purposes in any manner and in any medium (including, without limitation, radio broadcasts, newspapers and other publications, television or film releases, slides, videotape, distribution over the Internet, and picture date storage) the Iowa DNR may deem appropriate; (3) if the Iowa DNR is hindered from providing the prizes due to riots, acts of God, shortages of labor or materials, war, acts of terrorism, governmental laws, regulations or restrictions or any other causes of any kind whatsoever, including without limitation de-authorization of the DNR to conduct the promotion or financial inability of DNR to provide or conduct the promotion, which are beyond the reasonable control of the Iowa DNR, the winner agrees the Iowa DNR shall not be liable or responsible for its inability to provide some or all of the items discussed herein; (4) if disputes arise beyond those covered by incidents referenced in the director's discretion section, the buyer agrees the laws of the State of Iowa shall govern and determine all matters arising out of or in connection with this promotion, and any and all litigation commenced in connection with this promotion shall be brought and maintained solely in Polk County District Court for the State of Iowa, Des Moines Iowa, or in the United States District Court for the Southern District of Iowa, Central Division, Des Moines, Iowa, wherever jurisdiction is appropriate; this provision, however, shall not be construed as waiving any immunity in State or Federal court, which may be available to the DNR or the State of Iowa; and (5) the buyer agrees that the Iowa DNR is not responsible for and shall not be liable for any damage to an entrant's computer system that is directly or indirectly caused by accessing or downloading content from <http://www.iowadnr.gov> or otherwise participating in this promotion; any computer system, phone line, hardware, software or program malfunctions; or other errors, failures, dropped or delayed computer transmissions or network connections that are human or technical in nature; and that without limiting the generality of the foregoing, the Iowa DNR is not responsible for lost, interrupted, inaccessible or unavailable networks, satellites, Internet Service Providers (ISP), website or other connections; or for miscommunications; failed, jumbled, scrambled, delayed, or misdirected computer, telephone or cable transmission; or for any technical malfunctions, failures or difficulties; printing errors; clerical, typographical or other error in the offering or announcement of any prize or in any prize notification documents, or other errors of any kind or nature; or for the incorrect or inaccurate capture of information or the failure to capture information.