

Contest Rules

Wherever the words KMSM-FM appear in these rules, they include the business entity to which the station is licensed, and any member companies, parent corporations, and affiliates.

1. No purchase is necessary to enter any KMSM-FM contest.
2. All contest winners must provide KMSM-FM with a valid form of identification and Social Security number satisfactory to management.
3. Subject to rule (4) below, all contestants must be at least 18 years old to be eligible to participate in contests that include hotel/motel accommodations, motor vehicles, boats, and/or air travel as prizes.
4. All contestants must be at least 21 years old to be eligible for all contests affiliated with an alcoholic beverage manufacturer or distributor.
5. One entry per household will be permitted to participate in a contest unless specifically stated in the individual contests' rules. A "household" is defined as any individuals residing at the same address. After winning a contest on KMSM-FM, the individual/household is ineligible to win any other contests on KMSM-FM for a period of thirty (30) days. All individuals/households receiving a prize valued at \$100.00 or more on KMSM-FM may be issued a 1099 Federal Income Tax Form and are ineligible to win a prize valued at \$100.00 or more for a period of six months from the date of winning. If it is determined that a selected contestant is ineligible as a result of one or both of these restrictions, another contestant will be selected. This selection procedure will continue until these restrictions are satisfied.
6. Anytime the KMSM-FM on-air studio is called, it is assumed by the caller that the phone call is being recorded and may be broadcast. The caller grants permission to KMSM-FM to broadcast the call or record the call for later broadcast.
7. For telephone contests, listeners may enter by calling (406) 656-9410. If any problems are discovered by KMSM-FM, different call-in numbers or addresses may be substituted and utilized after those numbers and addresses are broadcast sufficiently. In the event a caller is disconnected during a contest before his/her name and phone number is recorded, then the prize will be awarded to the next caller whose name and phone number are recorded. The person operating the telephone at KMSM-FM has the final decision as to who is the winning caller.
8. For contests requiring written entry forms, they may be faxed to our office at (406) 248-8577, e-mailed to a contest specific address on www.thezone1039.com, or mailed/delivered to KMSM-FM – 101 E Mendenhall St. Bozeman, MT 59715. These avenues of entry are only valid if specifically outlined in the specific contests' rules. All entries become property of KMSM-FM and will not be returned. KMSM-FM reserves the right to retain any or all contest materials for

any reason that KMSM-FM deems necessary to the completion of the contest, or reasons relating to publicity and/or advertising. KMSM-FM shall have no responsibility for a contestant's failure to win or claim any prize based on difficulties with telephone, facsimile, email, or internet difficulties, or any circumstances in any contest.

9. Any specific rules and/or restrictions pertaining to individual contests (entry dates, a limit on number or words on an entry, etc.) will be disclosed in on-air announcements.

10. Prizes must be picked up by the winners at the KMSM-FM business office or other prearranged or pre-announced location within fifteen (15) days of notification to the winner, unless there is a deadline date by which the prizes must be picked up, in which case, that date will be specifically stated. Otherwise, failure to pick up the prizes by the deadline will result in the forfeiture of the prize, which shall remain the property of KMSM-FM . KMSM-FM assumes no liability for the delivery of prizes.

11. In the event the winner is subject to, or the subject of, any order or legal process issued by any governmental agency having jurisdiction over the affairs of the winner (i.e. garnishment, child support order, judgment, lien, and the like), KMSM-FM 's delivery of the prize to the official representative of the governmental entity claiming a right to the prize shall be thus deemed as KMSM-FM awarding the prize to the winner. KMSM-FM shall be entitled to rely in good faith, upon any documents presented by the representative seeking to collect the prize in lieu of the winner. KMSM-FM shall not be liable for any claim by any winner for damages incidental thereto.

12. As a condition of entering a contest, contestants must agree that upon winning, they will consent to the use of their name, likeness, and all verbal and written communications with KMSM-FM for publicity purposes.

13. Employees of KMSM-FM , Desert Mountain Broadcasting and its ultimate parent company, their advertising agencies, affiliates, contest sponsors, employees and immediate families of each, and employees of all media of mass communication within a one hundred mile radius of the KMSM-FM main studio are not eligible to win any contest.

14. All prizes are non-transferable and are not redeemable for cash. KMSM-FM reserves the right to substitute a prize of similar value. KMSM-FM cannot be held responsible for unforeseen cancellations or delays of concerts/events or transportation caused by weather, promoter or performer.

15. Winners are solely responsible for all applicable local, state and federal taxes. Winner may be issued a 1099 MISC federal tax form if in one calendar year the prize value of all prizes won in contests from KMSM-FM and/or participating co-sponsors exceeds \$600.00.

16. KMSM-FM and Desert Mountain Broadcasting assumes no liability for liability, damages, situations, repairs, or incidents arising from any aspect of any prize awarded in any contest. KMSM-FM , Desert Mountain Broadcasting, all participating co-sponsor companies and their advertising and promotional agencies, affiliates thereof, employees, and immediate families of

each absolve themselves and shall be held harmless from any action or liability arising from any contest or prize awarded in any contest. As a condition of entering a contest, participants may be required, upon winning, to sign a release form and affidavit of eligibility to claim their prize. Failure to do so will result in forfeiture of the contestant's right to claim or receive the prize.

17. The following are specifically related to E-contests and E-Mail Club promotions on www.thezone1039.com

18. All appropriate information in required fields must be filled out or contestants will be disqualified.

19. To be eligible to win a prize, a contestant must reside within the listening area of KMSM-FM, as defined within the exclusive discretion of management.

20. Any problems with the internet or email are not KMSM-FM's responsibility.

21. Contestants who attempt to register to participate on KMSM-FM's websites may be required to produce a printed copy of proof of registration before being allowed to participate in the contest.

22. All giveaways and contests are void where prohibited by law. All local, state and federal regulations apply. As a licensee of the FCC and a trustee of the public airwaves, KMSM-FM reserves the right to interrupt and/or discontinue any contest or promotion (and not award the offered prize) at the discretion of KMSM-FM management if world events, the national mood, or public safety so warrant. KMSM-FM reserves the right to disqualify any winner if the contest rules have been violated in any way. KMSM-FM reserves the right to amend the rules to any contest at any time. All decisions of KMSM-FM are final and not open to appeal.

23. Although KMSM-FM will make reasonable efforts to conduct its contests substantially as announced or advertised, KMSM-FM reserves the right in extraordinary situations to change or modify the rules of its contests as exigent circumstances may require. In such cases, KMSM-FM will amend the rules for that contest and broadcast the amended rules as promptly as possible.

In such case, the contest will be conducted in accordance with the amended rules.

24. A copy of these rules are available during business hours at Desert Mountain Broadcasting KMSM-FM offices, 101 E Mendenhall St. Bozeman, MT 59715.