Trail Riding
Considerations for Getting Started in the Horse Trail Riding Business

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CR-03-08
July 2003
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Considerations for Getting Started in the Horse Trail Riding Business

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Introduction

The Center for Agribusiness and Economic Development (CAED) and the Quitman County Extension Service worked with an area farmer to investigate the horse trail rider industry in Georgia. After lengthy discussions with the Georgia Horse Council (GHC) and other professions working in Georgia’s horse industry, it was determined there is a lack of reliable data pertaining to the trail riding industry. There are a number of significant factors that need to be considered before a horse riding trail facility is constructed.

Study Methodology

The CAED implemented a mail survey to horse club members across Georgia. The survey was administered during March through June, 2003, and a total of 153 completed surveys were returned. The survey targeted riders who trailer their horses to visit horse trails. Survey samples are subject to some amount of error, i.e., the results obtained from the limited sample will vary from the results obtained if the entire population was interviewed. The margin of error associated with a sample of 153 adults is ± 8.8 % at the 95% level of confidence.

Demographics - Target Market

To effectively perform a marketing analysis the target market must be identified and described, a competitor analysis should be developed, and a situational analysis created. This section involves generating a detailed description of potential customers and involves identifying the sub-segment of general population most likely to utilize riding trails.

The more detailed information obtained about trail riders, the easier it is to estimate the market potential and develop an effective promotional and advertising campaign. For example, not all horse owners ride trails. Trail riding facilities also need to identify which segment of the horse owner population ride trails to allow them to focus their marketing efforts on the preferences of the general horse owner population that is most likely to visit their facilities.

By identifying a target market, it is possible to estimate the total market potential for a product or service. This simple calculation provides information on the market potential which is critical in evaluating the feasibility of a particular business endeavor. If the target market potential is not large enough to cover the businesses’s operating costs, the business endeavor should be reevaluated.

The demographic information in Table 1 provides a description of the survey respondents and can be extrapolated into a generalization of the target market or typical trail rider. Summarizing the data in Table 1 suggests that the typical trail rider is a married, affluent, white female, with some college education residing in a rural area.
### Table 1. Characteristics of Geogia Horse Trail Riders

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender</strong></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>16%</td>
</tr>
<tr>
<td>Female</td>
<td>84%</td>
</tr>
<tr>
<td><strong>Educational Attainment</strong></td>
<td></td>
</tr>
<tr>
<td>Less than highschool degree</td>
<td>7%</td>
</tr>
<tr>
<td>High school</td>
<td>13%</td>
</tr>
<tr>
<td>Some college/tech degree</td>
<td>36%</td>
</tr>
<tr>
<td>College graduate</td>
<td>34%</td>
</tr>
<tr>
<td>Advanced work/degree</td>
<td>11%</td>
</tr>
<tr>
<td><strong>Age (mean and median) Years if Age</strong></td>
<td>47 &amp; 46</td>
</tr>
<tr>
<td><strong>Ethnicity</strong></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>98%</td>
</tr>
<tr>
<td>Other</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total Household Income</strong></td>
<td></td>
</tr>
<tr>
<td>≤$25,000</td>
<td>4%</td>
</tr>
<tr>
<td>$25,000-$34,999</td>
<td>10%</td>
</tr>
<tr>
<td>$35,000-$49,999</td>
<td>10%</td>
</tr>
<tr>
<td>$50,000-$74,999</td>
<td>17%</td>
</tr>
<tr>
<td>$75,000-$100,000</td>
<td>31%</td>
</tr>
<tr>
<td>$100,000+</td>
<td>27%</td>
</tr>
<tr>
<td>Mean Household Income</td>
<td>$62,500</td>
</tr>
<tr>
<td><strong>Residence</strong></td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>2%</td>
</tr>
<tr>
<td>Suburban</td>
<td>20%</td>
</tr>
<tr>
<td>Small City</td>
<td>17%</td>
</tr>
<tr>
<td>Rural</td>
<td>61%</td>
</tr>
</tbody>
</table>
Market Potential

Are people willing to travel outside of their immediate area (self defined) to ride horse trails? This question is critical in estimating the market potential for a trail riding facility. If trail riders typically stay within their immediate area, the market potential is limited to a very specific geographic area, but if riders are willing to travel outside their immediate area the market potential is greatly increased. According to the survey results, all of the respondents trailer their horses and travel outside their immediate area to ride trails.

To obtain a better estimate of the trail riding market potential, it is important to determine how far riders are willing to travel one way to ride trails. The distance data reflects that only riders who travel outside of their immediate area ride trails, 98%. The riders indicated that they are willing to travel as little as ten miles and as far as 500 miles to ride trails. The average and median distances riders are willing to travel one way are calculated to provide insight into the distance traveled to visit a trail riding operation (Table 2).

The majority of the respondents reside in rural areas which is encouraging for this proposed operation. There was initial concern that riders living in small towns and rural areas would have ample access to trail systems in their immediate area, i.e. local farm land, logging trails, or park lands.

<table>
<thead>
<tr>
<th>Miles</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 50</td>
<td>16%</td>
</tr>
<tr>
<td>50-100</td>
<td>35%</td>
</tr>
<tr>
<td>101-150</td>
<td>12%</td>
</tr>
<tr>
<td>151-200</td>
<td>14%</td>
</tr>
<tr>
<td>200 or more</td>
<td>23%</td>
</tr>
<tr>
<td>Mean</td>
<td>153</td>
</tr>
<tr>
<td>Median</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

It is also important to determine how many annual trips riders make outside their immediate area to accurately estimate the market potential (Table 3). The riders take anywhere from one (1) to 35 riding trips per year but on average, they take eight (8) trips annually. This is encouraging as riders are more likely to visit different parts of the state to enjoy different trails, scenery, and wildlife. There does appear to be a very dedicated group of riders that take more than 10 trips
annually to different trails. Attracting these riders and presenting them with a satisfactory experience will likely be critical to establishing a successful trail riding operation. Riders rely heavily on word-of-mouth to learn of new trail riding facilities and to evaluate existing ones (Table 10). Frequent riders are more likely to communicate with potential riders given their involvement in the sport and their approval and/or recommendation will most likely define quality of the facility and determine its reputation in the industry.

| Table 3. Number Trail Riding Trips Taken per Year |
|-----------------|-----------------|
| Trips           | Percent         |
| Less than 5     | 41%             |
| 5 to 10         | 37%             |
| 11 to 15        | 10%             |
| 16 or more      | 12%             |
| Mean            | 8               |
| Median          | 5               |

Source: CAED Horse Trail Rider Survey

The survey results indicated that riders travel in groups of five to seven people when they visit trail riding operations. This information is important when planning, developing, and laying out the facility. Riders in groups would most likely prefer to trailer their horses and camp near each other. These results are encouraging because if the riding facility can be brought to the attention of one rider and convince them to patron the facility, chances are they will bring other riders. This reiterates the importance of generating positive word-of-mouth advertising.

Table 4 indicates that riders spend an average of three days and two nights away from their home when they embark on a trail riding trip outside their immediate area. This provides additional opportunities for the trail riding operator. Trail riders need to feed themselves and their horses and may need to purchase grocery items, clothing items, and horse stock. The trial riding operation may want to consider opening a general store on the premises to provide visitors easy access to supplies. Horse stock products, souvenirs, crafts, and general merchandise could provide an additional revenue generating activity with high profit potential due to convenience. For example, if a halter breaks, the rider could purchase one at the general store or if the rider does not want to transport food products, they can purchase those as well. Given riders propensity to take over-night trips, they need to be informed of the facilities general merchandise and horse stock store.
## Table 4. Number of Days/Night Spent at the Riding Facility

<table>
<thead>
<tr>
<th>Days</th>
<th>Days Away from Home (%)</th>
<th>Days at Facility (%)</th>
<th>Nights at Facility (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>2%</td>
<td>1%</td>
<td>11%</td>
</tr>
<tr>
<td>1</td>
<td>19%</td>
<td>15%</td>
<td>16%</td>
</tr>
<tr>
<td>2</td>
<td>29%</td>
<td>33%</td>
<td>49%</td>
</tr>
<tr>
<td>3</td>
<td>24%</td>
<td>29%</td>
<td>10%</td>
</tr>
<tr>
<td>4</td>
<td>11%</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>5</td>
<td>7%</td>
<td>7%</td>
<td>4%</td>
</tr>
<tr>
<td>6 or more</td>
<td>12%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>Mean</td>
<td>3 days</td>
<td>3 days</td>
<td>2 nights</td>
</tr>
<tr>
<td>Median</td>
<td>2.8 days</td>
<td>3 days</td>
<td>2 nights</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

On average, riders pay $14.00 per night to camp with their trailers at trail riding facilities. The cost per night ranges from no cost to a high of $40 per night (Table 5). To be competitive, the camping facility should charge between $10 and $20 per night, depending on the amenities being offered at the facility. The more amenities, the more the riders would expect to pay. However, the price should not deviate greatly from what the riders are currently paying or they will decide to ride elsewhere.
Table 5. Cost per Night to Camp at Facility with Trailer

<table>
<thead>
<tr>
<th>Dollars</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>4%</td>
</tr>
<tr>
<td>$1 - $4</td>
<td>4%</td>
</tr>
<tr>
<td>$5 - $10</td>
<td>28%</td>
</tr>
<tr>
<td>$11- $15</td>
<td>28%</td>
</tr>
<tr>
<td>$16-$20</td>
<td>23%</td>
</tr>
<tr>
<td>$21-$25</td>
<td>9%</td>
</tr>
<tr>
<td>$26 or more</td>
<td>4%</td>
</tr>
</tbody>
</table>

Mean $14.91
Median $15.00

Source: CAED Horse Trail Rider Survey

It is important to determine when riders are most likely to utilize a riding facility. Table 6 indicate riders are most likely to take trail riding trips during the fall and spring, followed closely by summer. Riders are significantly less likely to take riding trips during the winter. Determining seasonality can help the facility operator in marketing the facility as well scheduling, maintenance, employees, and on-site supplies. For example, the lull in winter activity might be addressed by offering “ride free” specials where the riding fee is forgiven but camping fees are collected. Closing the facility during the winter months could possibly free the operation to pursue additional revenue generating activities like hunting.

Table 6. When Trail Riding Trips are Taken

<table>
<thead>
<tr>
<th>Season</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall</td>
<td>31%</td>
</tr>
<tr>
<td>Spring</td>
<td>29%</td>
</tr>
<tr>
<td>Summer</td>
<td>25%</td>
</tr>
<tr>
<td>Winter</td>
<td>18%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

Trail riders have varying skill levels and it is important to provide trails with varying difficulty. The data in Table 7 provides an indication of how trail riders rate their ability. The majority of riders classify themselves and intermediate and advanced. Based on these findings, a riding facility should focus on providing intermediate and advanced trails and then incorporate expert and beginner trails. There are a significant number of competing trail riding facilities
available to riders and it is important that a new operation provide riders with these types of trails. One respondent indicated that they did not like trails that were not challenging. Assuming that this mentality transcends each skill level, intermediate, and advanced riders would become bored with beginner trails and may decide to travel elsewhere in search of more challenging rides. The trails should be challenging enough to keep the riders attention, generate excitement, provide beautiful scenery as well as offer a safe riding environment for both the rider and the horse. Remember, it is easier to sell something people want than it is to sell something that is easy to produce.

Table 7. Stated Trail Rider Skill Levels by Georgia Riders

<table>
<thead>
<tr>
<th>Skill Level</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginner</td>
<td>16%</td>
</tr>
<tr>
<td>Intermediate</td>
<td>59%</td>
</tr>
<tr>
<td>Advanced</td>
<td>45%</td>
</tr>
<tr>
<td>Expert</td>
<td>14%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

The study investigated the dollar amount riders are currently paying to ride trail facilities. Again, this is very important as it provides a basis for setting riding fees and ensuring the facility is not priced out of the market. The fees riders are charged for trail access ranged from free to a high of $80/day. Table 8 provides a breakdown of what riders say they pay for access to half-day, full-day, and weekend trail rides.

On average, half-day rides charge approximately $5.60 for access. Full-day trail ride access is about double the cost at $9.56 of a half-day while weekend access typically costs $14.56 per day. This information provides a starting point in determining trail access fees as well as a dollar figure used in estimating the operations revenue.
Table 8. Currently Paying for Trail Rides

<table>
<thead>
<tr>
<th>Dollars</th>
<th>Half-Day Rides</th>
<th>Full-Day Rides/Day</th>
<th>Weekend Rides/Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - Nothing</td>
<td>23%</td>
<td>7%</td>
<td>9%</td>
</tr>
<tr>
<td>Less than $5</td>
<td>51%</td>
<td>45%</td>
<td>17%</td>
</tr>
<tr>
<td>$6 to $10</td>
<td>20%</td>
<td>30%</td>
<td>11%</td>
</tr>
<tr>
<td>$11 to $15</td>
<td>1%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>$16 to $20</td>
<td>1%</td>
<td>7%</td>
<td>12%</td>
</tr>
<tr>
<td>More than $20</td>
<td>4%</td>
<td>5%</td>
<td>13%</td>
</tr>
<tr>
<td>Mean</td>
<td>$5.57</td>
<td>$9.56</td>
<td>$14.56</td>
</tr>
<tr>
<td>Median</td>
<td>$5.00</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

In addition to determining distances riders are willing to travel, amenity preferences, and fees for accessing trails, it is very important to determine potential riders willingness to visit the proposed Southwest Georgia riding facility (Table 9). On average, the results indicate that riders are somewhat likely to patron the operation. However, the data suggest that over one-third (38%) of the riders responding to the survey are very likely to visit the riding trail as described in the survey (How likely would you be to use a horse riding trail operation in Southwest Georgia with over 25 miles of wilderness trails that offers pasture boarding, stables, camper pads with full hook-ups if it were reasonably priced?). An additional 30% of the riders indicated that they would be somewhat likely to ride the Southwest Georgia trail operation. These results are very encouraging and suggest that there is an existing opportunity to attract riders to the proposed facility. However, the facility will have to advertise and market the trail riding facility effectively to inform potential riders of its existence as well as to entice them to visit the operation.

Table 9. Likelihood to Visit Southwest Georgia Riding Trail

<table>
<thead>
<tr>
<th>Dollars</th>
<th>Mention</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Very Likely</td>
<td>18</td>
<td>38%</td>
</tr>
<tr>
<td>(3) Somewhat Likely</td>
<td>12</td>
<td>30%</td>
</tr>
<tr>
<td>(2) Somewhat unlikely</td>
<td>13</td>
<td>15%</td>
</tr>
<tr>
<td>(1) Very Unlikely</td>
<td>14</td>
<td>17%</td>
</tr>
<tr>
<td>Mean</td>
<td></td>
<td>2.87</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey
Informing Potential Riders

The ability to effectively reach riders will be critical to the success of the proposed facility. The survey asked riders where they look for information on trail riding facilities, this information is located in Table 10. These communication channels need to be exploited by trail rider facilities to effectively reach potential riders. The Internet is a very effective tool in reaching and communicating with potential riders. The proposed facility will need to construct a website and develop links with other organizations associated with horses, i.e., club websites, Georgia Horse Council, and magazines. Word-of-mouth is critical to the success of a trail riding operation as it was mentioned second most often as how riders learn of trail riding facilities. Word-of-mouth may be more critical to the operations success because negative word-of-mouth can actually hurt business by dissuading potential riders. In addition, it is important to develop traditional marketing materials (brochures, business cards, 800 numbers, etc.) and distribute this information to horse clubs, tack and feed stores, and other organizations involved in the horse industry.

<table>
<thead>
<tr>
<th>Source</th>
<th>Number of Mentions</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internet</td>
<td>29</td>
<td>51%</td>
</tr>
<tr>
<td>Word-of-mouth/referrals/network</td>
<td>24</td>
<td>42%</td>
</tr>
<tr>
<td>Horse clubs/club newsletter</td>
<td>12</td>
<td>21%</td>
</tr>
<tr>
<td>Horse related magazines</td>
<td>11</td>
<td>19%</td>
</tr>
<tr>
<td>Trail Rider Magazine</td>
<td>7</td>
<td>12%</td>
</tr>
<tr>
<td>Stable Mates</td>
<td>5</td>
<td>9%</td>
</tr>
<tr>
<td>Market Bulletin</td>
<td>4</td>
<td>7%</td>
</tr>
<tr>
<td>Tack and feed stores</td>
<td>4</td>
<td>7%</td>
</tr>
<tr>
<td>Newspaper</td>
<td>4</td>
<td>7%</td>
</tr>
<tr>
<td>GA Horse Council</td>
<td>3</td>
<td>5%</td>
</tr>
<tr>
<td>GA State Parks Guide book</td>
<td>3</td>
<td>5%</td>
</tr>
<tr>
<td>Judge list</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>GA Equine Rescue League</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>anywhere</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>7%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

Facility Requirements

Riders were provided a list of amenities that might be available at a riding facility (Table 11). This list of amenities is very important. Riders have a choice of where they ride and if a facility is not rider or horse friendly, i.e., offer the amenities they demand, they will choose to ride elsewhere. Therefore, before any trail riding facility is constructed, it is important to consider what the riders expect to find at the riding facility.

Based on riders responses, the inclusion of various amenities can be broken down into four levels of importance. The first level includes access to water, restrooms, and camp grounds. Specifically, the most important amenity appears to be access to water near the parking facility.
Eighty-six (86%) percent of the riders indicated they want water faucets located near the parking area. Three-quarters of the riders indicated they would like to have access to restroom facilities. A number of the riders wrote in that at least, provide port-a-potties. Having an on-site campground is important as well. Again, the majority of the riders indicated that they camp with their horses when they travel to trail riding destinations. These three amenities were mentioned more often than other amenities and should be provided by a trail riding facility.

The second tier amenities, shower facilities, barns and stalls, and picnic area/grills are less important than the aforementioned amenities, but they are still very important to the riders and should be included in the operation. The third tier amenities include trailer pads and pasture for horses. The changing facilities and general store and tack shop do not appear to be important to riders but can easily be incorporated into previously mentioned amenities at a minimal cost. For example, when the toilet areas are constructed, build a space to allow riders to change clothing. The trailer pads will be part of the camp sites and a pasture area could be incorporated into the barn/stall structures.

The availability of a general store, tack shop, feed products, and guided tours do not appear to be very important to riders. However, the inclusion of the general store, tack shop, and animal feed products provides another profit center for the facility. Having access to food and supplies may not be important to the riders until they forget to pack the appropriate supplies or experience equipment failure, i.e. a broken halter. A simple retail establishment offering refreshments, basic tack, and hay could be incorporated into the operation easily and provide tremendous profit potential.
<table>
<thead>
<tr>
<th>Amenities</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Faucets located close to parking</td>
<td>83%</td>
</tr>
<tr>
<td>Toilet facilities</td>
<td>74%</td>
</tr>
<tr>
<td>Camping area</td>
<td>65%</td>
</tr>
<tr>
<td>Shower facilities</td>
<td>46%</td>
</tr>
<tr>
<td>Barns/stalls</td>
<td>39%</td>
</tr>
<tr>
<td>Picnic area/grills</td>
<td>35%</td>
</tr>
<tr>
<td>Pads for trailers</td>
<td>27%</td>
</tr>
<tr>
<td>Pasture space for horses</td>
<td>25%</td>
</tr>
<tr>
<td>Changing facilities</td>
<td>13%</td>
</tr>
<tr>
<td>Grocery/convenience store</td>
<td>12%</td>
</tr>
<tr>
<td>Cool down/walking ring</td>
<td>8%</td>
</tr>
<tr>
<td>Horse grooming facilities</td>
<td>6%</td>
</tr>
<tr>
<td>Availability of feed and hay</td>
<td>6%</td>
</tr>
<tr>
<td>On-site tack shop</td>
<td>5%</td>
</tr>
<tr>
<td>Guided tours</td>
<td>3%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

- - Values above this line are significantly higher than the numbers below the line.

Beside physical amenities, the riders were presented with a list of other facility characteristics and asked what if any of these are important in their decision to patron a trail riding facility (Table 12). Scenery and appearance and offering trails of varying difficulty are rated significantly more important to riders than other characteristics. The presence of wildlife is also to be important to riders as is the friendliness of the people that work at the facility. These four issues must be addressed by the proposed facility as they are important to riders and impact their decision to visit a trail riding facility. Failure to address these issues effectively may negatively impact riders decision to visit, revisit, or recommend the operation to other riders.
The Riders were asked what other activities they partake in when they travel to a trail riding destination to determine if area or regional activities should be included in the marketing material. It appears that the riders do participate in additional activities while on riding trips and these need to be considered when developing the trail network. Walking and hiking trails should be considered near the camping facility and include scenic property that allows the riders to enjoy the outdoors and take photographs. These trails should be separate from the horse trails to allow riders to enjoy different landscapes, scenery and wildlife as well as to limit horse and hiker interaction.

### Table 12. Additional Factors Considered When Selecting Trial Riding Facility

<table>
<thead>
<tr>
<th>Q#</th>
<th>Factor</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q#16a</td>
<td>The scenic appearance of the attraction</td>
<td>80%</td>
</tr>
<tr>
<td>Q#16e</td>
<td>Offers trails of varying difficulty</td>
<td>74%</td>
</tr>
<tr>
<td>Q#16d</td>
<td>The presence of wildlife</td>
<td>55%</td>
</tr>
<tr>
<td>Q#16f</td>
<td>The friendliness of the people that work there</td>
<td>51%</td>
</tr>
<tr>
<td>Q#16b</td>
<td>Historical attractions</td>
<td>15%</td>
</tr>
<tr>
<td>Q#16h</td>
<td>A restaurant or snack bar</td>
<td>13%</td>
</tr>
<tr>
<td>Q#16c</td>
<td>The availability of associated activities</td>
<td>7%</td>
</tr>
<tr>
<td>Q#16g</td>
<td>Proximity to other tourist attractions, hotels, and restaurants</td>
<td>9%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey

---

Values above this line are significantly higher than the numbers below the line.
Table 13. Other Activities Trail Riders Participate During a Riding Trip

<table>
<thead>
<tr>
<th>Question</th>
<th>Activity</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q#17a</td>
<td>Hiking or walking</td>
<td>33%</td>
</tr>
<tr>
<td>Q#17k</td>
<td>Swimming</td>
<td>33%</td>
</tr>
<tr>
<td>Q#17i</td>
<td>Photography</td>
<td>32%</td>
</tr>
<tr>
<td>Q#17n</td>
<td>None</td>
<td>25%</td>
</tr>
<tr>
<td>Q#17n</td>
<td>None</td>
<td>25%</td>
</tr>
<tr>
<td>Q#17d</td>
<td>Fishing</td>
<td>23%</td>
</tr>
<tr>
<td>Q#17g</td>
<td>Visiting parks</td>
<td>17%</td>
</tr>
<tr>
<td>Q#17f</td>
<td>Birdwatching</td>
<td>15%</td>
</tr>
<tr>
<td>Q#17j</td>
<td>Visiting local museums</td>
<td>14%</td>
</tr>
<tr>
<td>Q#17e</td>
<td>Visiting antique shops</td>
<td>14%</td>
</tr>
<tr>
<td>Q#17l</td>
<td>Other</td>
<td>11%</td>
</tr>
<tr>
<td>Q#17c</td>
<td>Bike riding</td>
<td>9%</td>
</tr>
<tr>
<td>Q#17h</td>
<td>Visiting wineries</td>
<td>7%</td>
</tr>
<tr>
<td>Q#17b</td>
<td>Boating</td>
<td>5%</td>
</tr>
<tr>
<td>Q#17m</td>
<td>Hunting</td>
<td>3%</td>
</tr>
</tbody>
</table>

Source: CAED Horse Trail Rider Survey
- - Values above this line are significantly higher than the numbers below the line.

Competitor Analysis

The competitor analysis focuses on identifying competitors and collecting pertinent operational information. This analysis investigates primary trail riding facilities in Georgia, Alabama, and North Florida. The CAED working with The Georgia Horse Council compiled a detailed list of trail riding operations in Georgia and a marginal list of operations in the surrounding states. However, the CAED is still collecting information on the amenities available at the various trail riding operations. The following competitor analysis is based on the information that is currently available and will be updated as new information is collected.

Sixty-six (66) public and private horse trail riding operations were identified across Georgia. The majority of these operations are located above the fall line (Macon North). A working list of the operations and available amenities can be found in Appendix A.

Examinations of competing operations revealed that 17 have camping facilities. The actual trail millage appears to vary significantly by trail operation. Trail range form a quarter of mile at
one operation to over 8,000 acres of trails at another. The 2,400 acre trail riding facility being proposed in Southwest Georgia does appear to be large enough (actually larger than most existing operations) to compete with existing riding operations.

Nine of the competing riding operations have horse stalls and five offer boarding services. Riders indicated they would like to have a barn or stall facilities to board their animals while they are visiting the operation. Providing stalls or a barn may provide the facility a way to differentiate its operation and be more competitive. In addition, eleven riding operations offer rental horses to their visitors. This may be something to consider once the facility is operational as it expands the market potential to people who like to ride but do not have their own horses.

Situational Analysis

Many people are turning to the horse industry to improve their quality of life. Horses are provide people access to various leisure and hobby activities and a function as an educational tool for youth. There are a number of state-level breed and sport associations in Georgia with large membership lists which are continually attracting new members. Interest in horse related activities such as reining and team roping has increased the number of organizations and businesses that cater to specific events. Horse breed associations have also seen an increase in participation in recent years at exhibitions which is attributed to involvement among novice and amateur competitors. In addition, numerous organized activities are being developed and directed to expand interest and participation in non-arena activities, i.e. noncompetitive pleasure riding and trail riding.\(^1\)

The equine industry in Georgia has been growing rapidly over time. In 2000, horses ranked number nine in revenue ($169,977,000) in Georgia’s Farm Gate report. In 2001, the industry has grown to $184,883,000 moving up a place to eighth in the Farm Gate report. In 2001, there were 74,995 horses in Georgia, up from 69,820 just a year earlier. The horse segment is the fastest growing sector of Georgia’s agricultural industry.

At the same time, Georgia is experiencing tremendous growth. Georgia’s population has increased by approximately two million people over the last 10 years. This population growth has fueled urban sprawl and the development of rural areas. As more people become in the horse industry who do not live on the farm, finding a place to ride horses is becoming increasingly more important. This problem is being exacerbated by conservation groups that are lobbying and trying to pass regulations barring or limiting horse access to public lands citing their negative environmental impact.

It is estimated that there are over 1,000 boarding facilities in the state of Georgia. Assuming these people do not reside on a farm, there is a significant number of horse owners across the state in need of a placed to ride their horses. For example in 2001, roughly 39,000 horses fell under Georgia’s Farm Gate classification boarded, trained or breed.

\(^1\)WCR-3987 - Oklahoma Horse Industry Trends, David W. Freeman, OSU Equine Extension Specialist
The growth in non-farm horse ownership as indicated by Georgia’s boarding facilities, combined with rural development and restrictions being placed on public lands is creating new opportunities for trail riding facilities in Georgia.
The Center for Agribusiness & Economic Development

The Center for Agribusiness and Economic Development is a unit of the College of Agricultural and Environmental Sciences of the University of Georgia, combining the missions of research and extension. The Center has among its objectives:

To provide feasibility and other short term studies for current or potential Georgia agribusiness firms and/or emerging food and fiber industries.

To provide agricultural, natural resource, and demographic data for private and public decision makers.

To find out more, visit our Web site at:  http://www.caed.uga.edu

Or contact:

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The University of Georgia and Fort Valley State University, and the U.S. Department of Agriculture and counties of the state cooperating. The Cooperative Extension Service offers educational programs, assistance and materials to all people without regard to race, color, national origin, age, sex or disability.

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CR-03-08                                      July 2003

Issued in furtherance of Cooperation Extension Acts of May 8 and June 30, 1914, the University of Georgia College of Agricultural and Environmental Sciences, and the U.S. Department of Agriculture cooperating.

J. Scott Angle, Dean and Director
Handbook for Ranchers & Farmers

Equestrian Trail Riding as an Alternative Agricultural Enterprise
INTRODUCTION

In the spring of 1999, representatives from Texas Equestrian Trail Riders Association (TETRA), Texas Agricultural Extension Service (TAEX), Texas Farm Bureau (TFB) and Texas Southwest Cattle Raisers' Association (TSCRA) came together to discuss the needs of Texas equestrians and Texas ranchers. The groups' goal was to determine if a collaborative strategy could be developed which would address the concerns of trail riders, ranchers and farmers. The concerns we discussed were:

- depressed status of agriculture
- limited amount of public land available for equestrian trail riding
- limited awareness by urban Texans regarding the agricultural story in Texas
- growing number of Texans interested in equestrian trail riding
- fascination by non-ranchers with the ranching life style
- need for alternative sources of income to enable ranchers to maintain their life style

The outcome of these discussions was the creation of the Ranch Based Trail Ride Task Force.

The role of the task force was to develop demonstration ranch-based trail rides and to collect information to explore trail riding as an alternative enterprise for Texas ranchers and farmers. The task force scheduled four rides in the fall of 1999:

- **Miller Ranch**, Marfa, Texas, October 1, 2, 3
- **Southland Land & Cattle Company Ranch**, Kaufman, Texas, October 15, 16, 17
- **Walnut Creek Ranch**, Water Valley, Texas, November 26, 27, 28
- **33 Ranch**, Kenedy, Texas, December 10, 11, 12

Through the development of these rides, the task force learned a lot. This handbook is the task force’s attempt to provide this information to interested farmers and ranchers. It looks at what we found to be the relevant issues.

**Initial Considerations** - Questions which will help interested persons better understand about a ranch-based trail ride.
Liability Issues - Rancher/farmer liability is discussed and strategies are presented.

Survey Findings - Information gathered from the ride attendees.

Helpful Contacts - Organizations that can help ranchers/farmers get started.

Concluding Thoughts - Some ideas to help ranchers/farmers decide how to get started.

Examples - Literature which was developed for the demonstration rides.

Ranch-based trail rides are certainly not the complete answer to address all the concerns the task force identified. Trail rides are an economically viable option for some ranchers/farmers and will provide additional riding options for equestrians throughout Texas.

Through our year of working together, the task force was able to attain some goals which went beyond the scope of the project. We saw that individuals, with seemingly divergent needs, can get together and listen to each other. Through these discussions we many times determined that under our surface differences there were very similar values, in this case, a love of the Texas ranching tradition and a love of Texas horses.

It is our belief that if you decide to have a trail ride on your ranch, you will have a similar discovery with the riders you meet.
We have come together to offer Texans the opportunity to experience our wonderful ranches from the back of a horse.

TASK FORCE MEMBERS

Craig Brubaker – Task Force Chairman
Susan Breed – TETRA
Lonnie Bradshaw – TETRA
Matt Jauer – TFB and TSCRA
Ned Meister – TFB
Butch Davis – TSCRA
Doug Householder – TAEX
Scott Shafer – TAEX
Bruce Carpenter - TAEX
Judon Fambrough – Texas Real Estate Center
CONSIDERATIONS

When considering putting on a trail ride, there are a number of questions which need to be answered. By answering these questions, you will get a better idea of all that is involved in conducting a ride as well as decide how you specifically will design your ranch ride.

RANCH: These questions all relate to issues you need to consider concerning your ranch.

1. How many acres are available for trail riding (minimum of 1,000 for weekend ride)?

2. Are there existing trails or will trails need to be made or marked?

3. Is there a campsite that is fairly easily accessible and level?

4. Can the campsite be used if it rains?

5. How many campers will the campsite hold?

6. Will toilet facilities be made available to riders?

7. Is there water available for humans and horses?

8. Are there electrical hook-ups available to campers?

9. Is the access road cleared and graded flat enough so that smaller vehicles won’t be “high centered” or larger vehicles (RV’s) impeded by trees or brush?

10. How can horses be restrained overnight, i.e. tied to trees, existing pens or corrals, tied to trailers?

11. Will riders or horses be allowed to swim in tanks or rivers?

12. Should the campsite be shredded or mosquito sprayed for comfort ahead of time?

13. What times of year are most suitable and enjoyable for trail riding in your area?

14. Are wagons welcome/appropriate for the terrain?

15. Are there motels, entertainment or shops nearby?

16. Is lodging available on the property?

17. What unique qualities does the property have to offer, i.e. historic, wildlife, etc.?
18. What type of educational program could be provided, i.e. horsemanship, wildlife, historic, etc.?

**FOOD:** Many rides provide food. These are some issues to consider in making that decision for your ride.

1. Will any food be served?
2. Who will cook the food?
3. Who will serve the food?
4. What will the food cost you?
5. What will you charge for the meals?
6. Is it mandatory or may riders, “on a budget”, provide their own food and get a reduced rate?
7. Will beer and alcohol be allowed on the trails and/or in camp?
8. Are there trash receptacles available near the eating areas?
9. Will tables and chairs be provided?
10. Is there shade, i.e. trees, a tent awning, a shelter, available at the dining area?
11. Will cold drinks be provided at “pop breaks” along the trail?

**RIDE MANAGEMENT:** This is the most time consuming part of any ride. These considerations will help you start to get a picture of the amount of work involved.

1. Who will organize the ride? I.e. rancher, club representative, independent organizer?
2. When will the ride begin and end? (Most rides open Friday afternoon and close Sunday afternoon.)
3. Are signs posted to help riders find camp areas?
4. Will written ride rules be provided to each rider?
5. What horse papers will be required? (All riders must, at a minimum, provide Coggins papers.)
6. Who will provide final answers in case of disputes?
7. Who will be trail bosses and scouts?
8. Will fees be refunded if ride is cancelled due to rain?

9. Will everyone ride together or can people choose to ride unattended?

10. Is a ranch map available/necessary?

11. Will separate trail boss be provided for riders with faster gaited type horses?

12. Will certain areas of the ranch be off limits?

13. Who will restricted/hazardous areas be marked?

14. Who will collect many and signed releases?

15. Who will prepare and serve food?

16. Who will be parking director?

17. Who will check horse papers?

18. Who will be on site clean-up crew?

19. Will dogs be allowed?

20. How many riders and/or wagons can be handled on the ride?

21. What local resources are available?
   Locations and phone numbers for:
   • Motels
   • Health services
   • Emergency services
   • Veterinary services
   • Cowboy minister
   • Unique visitor attractions
   • Gas stations, propane

22. Will there be quiet hours, i.e. 10:00 PM to 7:00 AM?

23. Will there be a special camping area for those who want to run generators?

24. Will lighting or electrical hookups be provided in any part of the camping area?

25. Will there be a special policy regarding studs?
COSTS: The pricing of any new service is a difficult question to answer. Based upon our demonstration rides, we developed these considerations.

1. How much will it cost to ride? ($35 per horse, no meals; $75 per rider, 6 meals)
2. Can children under a certain age participate for a reduced rate?
3. Will advance reservations/deposits be required?
4. What is the policy on refunds after a certain date?
5. What is the policy on refunds if weather forces cancellation?
6. Will riders be permitted to participate on a daily basis or must they pay for the entire period? If daily, how will you know who has paid for today/all, i.e. badges, hospital bracelets, etc?
7. Will any part of the cost be donated to charity or to the specific horse rider organization?

MARKETING: Obviously, if you have decided to put on a ride, you need to let trail riders know about it. These recommendations outline an inexpensive marketing plan which will get you started.

1. Print an attractive flyer which will:
   a. Describe the unique qualities of the ranch and any unusual activities, i.e. river, beautiful views, singing, story telling.
   b. Include a phone number to call if riders have questions. E-mail is also helpful, and cheap.
   c. Answer all the basic questions, what, when, why, how much.
   d. List all restrictions, i.e. dogs, alcohol, age limits.
2. Send the flyer to target markets.
   a. Contact trail riding clubs to get mailing lists, i.e. TETRA, local riding clubs, sheriffs’ posse.
   b. Contact trail riding publications, i.e. Texas Trails, Trail Riders Journal, Trail Riders Magazine (this is generally free).
   c. Post flyer at local feed stores, co-ops, extension offices.
3. Contact all local publications, i.e. newspapers, horse newsletters, and ask them if they will list your ride and if they would like to do an article.
4. Conduct all marketing at least one month in advance, earlier if possible.
LIABILITY ISSUES

The popularity of equine activities and events has reached an all-time high in Texas.

With any activity, equine related or not, comes associated risks and liabilities. Participants face the risk of personal injuries from animals, other participants as well as premise defects. Merchants face possible liability from equipment failure as well as their rented animals injuring participants and spectators. Finally, sponsors and landowners furnishing the facilities and land for the events, face potential liability for harm to participants and spectators injured by animals, premise defects, to name a few.

If Texas legislators had not passed laws protecting merchants, sponsors and landowners, the popularity of equine activities may not have risen to its current level in this state. This section presents a brief overview of the case law and statutory law regarding the associated risks and liabilities.

Participants Injuring Participants

As to the issue of participants injuring other participants at an equine event, only recently has Texas appellate cases addressed the topic. The first case involved golf, the second softball and the third barrel racing. In each case, the courts held that any person who voluntarily agrees to participate in the sporting event waives their right to sue for any foreseeable injury they incur. No Texas statutes address the issue, only case law.

Merchants' Liability

Texas statutes do address the issue of merchants' liability for equipment failure and rented animal injuring participants. In 1995, Texas legislators enacted Chapter 87 of the Texas Civil Practices and Remedies Code. The statute encourages equine activities by limiting the liability of those who sponsor or permit equine events.

More precisely, the statute provided that "any person, including an equine sponsor or an equine professional, is not liable for property damage or damages arising from the personal injury or death of a participant if the property damage, injury or death results from the dangers or conditions that are inherent risk of equine activity."

The statute is chock full of definitions of the key words and terms. Without belaboring each, please refer to the article entitled "Statutory Limitations for Equine Activities" attached at the end of this paper. Of interest, though, note that "equine animals" includes horses, ponies, donkeys and hinnies.
The statute defines an "equine professional" as a person, who for compensation:

- instructs a participant or rents to a participant an equine animal for the purpose of riding, driving or being a passenger on the equine animal or
- rents equipment or tack to a participant.

The limited liability is not automatic, though. The equine professional must clearly and visibly post and maintain prescribed warning signs on or near stables, corrals or arenas that they manage or control. The same warning must be written clearly into every contract in which the professionals enter with participants for professional services; instructions; or rental of equipment, tack or an equine animal regardless of where the equine activity occurs.

The warning must read as follows:

**Warning**

*Under Texas law (Chapter 87, Civil Practice and Remedies Code), an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities. (These signs are available at your local Farm Bureau office.)*

However, merchants and instructors are not protected if they provide equipment or tack that they know or should have known was faulty or did not determine a participant's ability to safely manage an animal.

**Sponsors' Liability**

Sponsors of equine events also receive the statutory protection, but without the need of posting the required warning just described. The statute defines "equine activity sponsors" as:

- a person or group who sponsors, organizes or provides the facilities for an equine activity, including equine facilities for a pony club, 4-H club, hunt club, riding club, therapeutic riding program, high school or college class, program or activity without regard to whether the person operates for profit or
- an operator of, instructor at, or promoter for equine facilities, including a stable, clubhouse, pony ride string, fair or arena where an equine activity is held.

There are exceptions to coverage for sponsors. The statute requires sponsors (and landowners) to post warning signs or to provide written or
verbal warnings of known dangerous latent conditions of the land they own, lease or control.

**Liability to Spectators**

Chapter 87 does not cover any injury, harm or death to a spectator at an equine activity or event. The only exception is when the spectator is in an unauthorized area in the immediate proximity to the equine activity. For this reason, either or both waivers and liability insurance, discussed later, may need to be used for protection.

**Landowners' Liability**

The last person in the chain of liability is the landowner. The term "landowner" or "property owner" is not mentioned in Chapter 87 while the definition of a sponsor includes the person or group who provides the facilities for an equine activity. The definition of sponsors also includes an operator of a stable, clubhouse, pony ride string, fair or arena. The word "owner" is non-existent.

Obviously, the landowner receives limited, but not blanket protection from "certain land conditions and hazards, including surface and subsurface conditions." However, the statute never mentions which of the certain conditions are covered. Likewise, the list of activities not covered by the statute include dangerous latent conditions of the land if known and not disclosed by the person who owned, leased or otherwise controlled the property. Evidently, the certain conditions covered are those dangerous conditions unknown to the landowner, operator or sponsor.

Landowners allowing or sponsoring equine events may wish to look to another statute, Chapter 75 of the Texas Civil Practices and Remedies Code, for supplemental protection. The only problem with Chapter 75 is that equine activities are not explicitly mentioned.

**Landowners' Common Law Duty**

To understand the importance of Chapter 75, landowners must grasp their common law duty to persons on their property.

A landowner's liability (or responsibility) for the safety of anyone on the property depends on the legal classification of the person at the time of injury. There are four categories: an invitee, a licensee, a trespasser and a child under the attractive nuisance doctrine. Theoretically, participants and spectators could fit in any one of these.

Fee-paying participants and spectators at equine events are classified as invitees. Landowners have a legal duty to keep the premises safe for the invitee's protection. To accomplish this the landowner must give adequate
and timely notice of concealed or latent perils (dangerous conditions) that are personally known or that a reasonable inspection would reveal. Injuries caused by dangerous conditions that are apparent or that could be revealed by reasonable inspection are the landowner's responsibility, but comparative negligence lessens the liability to the extent invitees contribute to their own injuries for failing to be on the lookout.

Nonpaying participants and spectators with permission to enter are classified as licensees. Landowners have a legal duty to warn them of known dangerous conditions or to make the conditions reasonably safe. This requirement parallels the requirement under Chapter 87 where notice of known dangerous latent defects must be disclosed. No inspection is required. Again, comparative negligence lessens the liability to the extent licensees contribute to their own injuries for failing to be on the lookout.

Participants and spectators who enter without permission are classified as trespassers. The landowner owes them no legal duty. The law prohibits the landowner from willfully or wantonly injuring them except in self-defense or when protecting property. The landowner is liable for gross negligence or for acts done with malicious intent or in bad faith.

Trespassing children are protected by the attractive nuisance doctrine. An attractive nuisance exists when: the trespassing child is not accompanied by an adult; the child is too young to appreciate or realize a dangerous condition; the location of the dangerous condition is one that the landowner knew or should have known children frequent; and the utility of maintaining the condition is slight compared to the probability of injury to children. The landowner may avoid liability if any one of these conditions is missing.

**Recreational Guests (Chapter 75)**

To encourage landowners to allow recreational guests on their property, Texas legislators enacted Chapter 75 of the Texas Civil Practices and Remedies Code. The statute reduces a qualifying landowner's duty of care to recreational guests, whether invitees or licensees, to that of a trespasser.

The primary problem faced by landowners for equine activities is the statutory definition of recreational guests. It does not specifically mention equine activities and events nor address the status of spectators at recreational events.

Section 75.001 (3) defines the term "recreational purposes" to include hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study (including bird-watching), cave exploration, water-skiing and other water sports, or any other activity associated with enjoying nature or the outdoors. In all probability, certain, if not all, equine activities
would fall under any other activity associated with enjoying nature or the outdoors. But, it does not explicitly say so.

To qualify, the place where the recreational activity (equine event) occurs must be on agricultural land. This means any land located in this state suitable for use in production of-

- plants and fruits grown for human or animal consumption or for fibers, floriculture, viticulture, horticulture or seeds,
- forests and trees for lumber, fiber or other items used for industrial, commercial or personal consumption or
- domestic or native farm or ranch animals kept for use or profit.

As long as the participants enter for recreational purposes on agricultural land, and as long as the landowner's total charges during the previous calendar year for all entries do not exceed four times the total amount of ad valorem taxes imposed on the land during the same period, the landowner owes the recreational guests no greater duty than that of a trespasser. Furthermore, the landowner is not responsible for any injury to a person or property caused by the recreational guest while on the property.

If the fee limit is exceeded, the landowner owes all recreational guests the common-law duty owed an invitee or licensee with one exception. The trespassory degree of care is preserved if the landowner on agricultural land has minimum amounts of liability insurance coverage. These amounts are $500,000 for each person, $1 million for each single occurrence of bodily injury or death and $100,000 for each single occurrence for injury to or destruction of property.

Landowners achieve two advantages by having the minimum amounts of liability insurance. First, the trespassory degree of care continues to participants when charges exceed four times the amount of the ad valorem taxes. Second the stipulated amounts of liability coverage serve to cap the landowner's liability if sued for an act or omission relating to the premises. (See page 15)

If the fee limit is exceeded without the minimum liability coverage in effect, then the landowner faces the degree of care owed to either an invitee or licensee, whichever the case may be. The amount charged has no effect on the attractive nuisance doctrine.

**Landowners' Options for Limiting Liability**

What, then, are landowners' alternatives for limiting liability? First, to avail themselves of the benefits of Chapter 75, landowners may charge no more than four times the amount of ad valorem taxes imposed on the agricultural land or twice the amount of ad valorem taxes on non-agricultural
land. (Seepage 15.) This may not be a viable option for large-scale operations or where agricultural-use or open space valuation is taken.

Landowners who charge more than four times the amount of the ad valorem taxes may purchase liability insurance according to the specified minimum amounts depending on whether the activity is conducted on agricultural or non-agricultural land.

Second, to take advantage of any benefits under Chapter 87, landowners and sponsors may post the appropriate warning on their property and include the same warning in all their contracts. Arguable, this warning protects merchants only but is important if the landowner or sponsors rent animals or equipment to participants. Also, landowners must still warn all participants verbally, in writing or by signs of known dangerous latent conditions of the land under Chapter 87.

Third, the landowner can do as the law dictates: inspect the property routinely and either warn the participants and spectators of the dangerous conditions or make the conditions safe. This may be difficult because conditions change rapidly. Notifying all participants and spectators of a dangerous condition may prove impossible.

Fourth, the landowner may require the participants or sponsors to purchase and assign a liability insurance policy to the landowner covering the landowner's liability to the participants and possibly spectators. The minimum coverage should equal or exceed the limits mentioned earlier. However, the premiums may cause the entry price to become prohibitive, especially on non-agricultural land where no amount of liability insurance caps the landowner's or sponsor's liability. (Seepage 15.)

Fifth, the landowner and sponsors may secure waivers from the participants and possibly spectators, releasing the landowner and sponsors from liability. A waiver is defined as the intentional relinquishment of a known right. To be effective, the release provision must meet certain standards.

For instance, the agreement must be based on an offer and acceptance between parties who have equal bargaining power. For this reason, a recent Texas appellate court ruled that parents cannot release, in advance, a minor's right to recover for personal injuries caused by the negligence of another (Munoz v. IlHaz Inc. d/b/a Physical Whimsical, 863 S. W. 2d 207 [1993]).

The agreement for the release must be based on consideration, but it need not be monetary. The agreement in exchange for the right to participate or view an equine activity or event may be sufficient.

The Texas Supreme Court has added three more requirements for an effective waiver agreement. First, the provision must state that the participant or spectator indemnities (releases) the landowner and/or sponsor
from any acts arising "from the landowner's or sponsor's negligence." This is sometimes referred to as the Express Negligence Doctrine (Ethyl Corp. v. Daniel Const. Co., 725 S. W. 2d 705 [Tx. S. Ct. 1987]).

Second, the written contract must give the participants or spectators fair notice of the release provision. The fair-notice principle focuses on the appearance and placement of the provision, not its content. However, the fair-notice requirement is -not necessary if the landowner or sponsor can prove the participant or spectator had actual notice or knowledge of the provision (Spense & Howe Constr. Co. v. Gu@'Oil Corp., 365 S. W. 2d 631 [Tx. S. Ct., 1963]).

Third, the release provisions must be conspicuous. The element of conspicuousness'' is tied to the previous "fair-notice" requirement. Basically, the release provision must be conspicuous enough to give the participants or spectators fair notice of its existence (Dresser Industries, Inc. v. Page Petroleum, Inc., 853 S. W. 2d 505 [Tx. S. Ct. 1993]).

How "conspicuous" is conspicuous? No absolute answer can be given. However, the following suggestions may be useful.

- Make the written provision noticeable.
- Emphasize the entire paragraph - not just a portion. Better still, place the waiver at the end of the contract on a separate sheet of paper.
- Use headings but not misleading ones. Italicize the headings.
- Ask the participants and spectators to initial the waiver provisions of the contract or sign the page if placed on a separate sheet.

For some protection from the attractive nuisance doctrine, the landowner or sponsors agreement may require all children to be accompanied by an adult at all times.

If the waiver form is used, it may meet the requirement under Chapter 87 of providing written notice of known dangerous latent conditions of the land. Consequently, the form could serve two functions.

A waiver form for hunters was presented by the late Dan Patton, an attorney with Morrill, Patton and Bauer in Beeville, Texas, at the 13'h Advanced Real Estate Law Course sponsored by the Texas State Bar in 1991. The form has been tailored to equine activities and events and is included at the end of this paper. The form is not endorsed by Mr. Patton, the speaker, sponsors of this seminar, the Texas Real Estate Center or Texas A&M.

This section was written by Judon Fambrough, Senior Lecturer, Attorney at Law, Texas Real Estate Center, Texas A&M University.
CATEGORIES OF LAND AND LIMITED LIABILITY UNDER CHAPTER 75

Chapter 75 divides land and liability into three categories. It is important to understand each category with equine activities or events because the property on which the event occurs may or may not be agricultural land and equine activities and events may or may not be classified as recreational purposes.

The broadest protection is given to agricultural land used for recreational purposes. Landowners, lessees and occupants owe invitees and licensees no greater duty than owed trespassers until total charges exceed four times the ad valorem (property) taxes. Then, the minimum amounts of liability insurance are needed to cap liability and to preserve the trespassory degree of care.

Limited protection is give to non-agricultural land used for recreational purposes. (This category could include stables, arenas, etc.) Landowners, lessees and occupants owe invitees (not licensees) no greater care than owed trespassers until the total charges exceeds twice the amount of ad valorem (property) taxes. Then, no amount of liability insurance will cap the landowner's, lessee's or occupant's liability nor preserve the trespassory degree of care.

Finally, maximum liability coverage is extended to agricultural land used for non-recreational purposes as long as $1 million liability insurance is in place for each single occurrence of bodily injury or property damage.

Obviously, all landowners, sponsors, lessees and occupants would like for all equine activities and events to be classified as a "recreational use" on agricultural land to ensure coverage under Chapter 75.

It is unclear whether viewing a recreational event as a spectator makes the spectator a recreational guest under Chapter 75. Arguments can be made either way. No Texas appellate cases address the question.
Statutory Limitations for Equine Activities

By Judon Farnbrough

Effective September 1, 1995, the Texas Legislature enacted a new statute that encourages equine activities by limiting the liability of those who sponsor or permit such events as parades, trail drives or shows. More precisely, the statute provides that "any person, including an equine sponsor or an equine professional, is not liable for property damage or damages arising from the personal injury or death of a participant if the property damage, injury, or death result from the dangers or conditions that are an inherent risk of equine activity. . " (Chapter 87 of the Texas Civil Practices and Remedies Code). The statute lists inherent risks as:

- the animal's tendency to behave in ways that cause personal injury or death;
- the animal's unpredictable reaction to sound, sudden movement or unfamiliar object, person or other animal;
- certain land conditions and hazards, including surface and subsurface conditions;
- collision with another animal or object; or
- a participant's negligent actions that cause injury to themselves or others when they fail to control the animal or to act within their ability.

Definitions—which comprise half of the statute—are critical for understanding the new law. For instance, the term equine activity includes:

- an equine animal show, fair, competition, performance or parade that involves any breed of equine animal and any equine discipline, including dressage, hunter and jumper horse shows, grand prix jumping, three-day events, combined training, driving, pulling, cutting, polo, steeple chasing, English and Western performance riding, endurance trail riding, Western games and hunting;
- equine training or teaching activities;
- boarding equine animals;
- riding, inspecting or evaluating an equine animal belonging to another, whether or not with compensation to the owner;
- informal equine activity, including a ride, trip or hunt that is sponsored by an equine activity sponsor;
- permitting a prospective purchaser of the equine animal to ride, inspect or evaluate the equine animal;
- sponsoring an informal equine activity, including a ride, trip or hunt;
- placing or replacing horseshoes on an equine animal; or
- rodeos and single-event competitions, including team roping, calf roping and single steer roping & whether or not the participants are compensated.

An equine activity sponsor means:

- a person or group who sponsors, organizes or provides the facilities for an equine activity, including equine facilities for a pony club, 4-H club, hunt club, riding club, therapeutic riding program, high school or college class program or activity without regard to whether the person operates for profit or
- an operator of, instructor at, or promoter for equine facilities, including a stable, clubhouse, pony ride string, fair or arena where an equine activity is held.

An equine professional means a person who for compensation:

- instructs a participant or rents to a participant an equine animal for the purpose of riding, driving or being a passenger on the equine animal or
- rents equipment or tack to a participant.

A participant means a person who engages in an equine activity regardless of whether the person is an amateur or professional or whether the person pays for the activity or participates in the activity for free.

Engages in an equine activity means riding, handling, training, driving, assisting in the medical treatment of, being a passenger on or assisting a participant or sponsor with an equine animal. The term includes management of a show involving equine animals. The term does not include being a spectator at an equine activity unless the spectator is in an unauthorized area and in immediate proximity to the equine activity.

Certain exceptions and limitations apply. Liability for property damage continues when it arises from a participant's personal injury or death when the person, sponsor or professional:

- provided faulty equipment or tack to the participant, and they knew or should have known it was faulty;
- did not determine the participant's abilities to safely manage an equine animal before providing one;
- did not post warning signs or provide written notices or verbal warnings of dangerous latent conditions of the land if they knew of the conditions and they owned, leased or otherwise controlled the property;
- injured a participant by an act or omission with willful or wanton disregard for the participant's safety; or
- intentionally injured or killed someone.

Finally, equine professionals who want to claim the statutory limitations must clearly and visibly post and maintain prescribed warning signs on or near stables, corrals or arenas that they manage or control. The same warning must be written clearly into every contract the professionals enter with participants for professional services, instructions or rental of equipment, tack or an equine animal regardless of where the equine activity occurs. The warning must read as follows:

**Warning**

Under Texas law (Chapter 87, Civil Practice and Remedies Code), an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities.

Farnbrough is an attorney, member of the State Bar of Texas and senior lecturer with the Real Estate Center at Texas A&M University.
Sample

RELEASE OF LIABILITY
AND
ACKNOWLEDGMENT AND ACCEPTANCE
OF DANGERS, RISKS AND HAZARDS
OF EQUINE ACTIVITIES AND EVENTS

I, the undersigned participant, hereby acknowledge that I have knowingly and willingly entered an Agreement, or become a party bound by the terms and conditions of an Agreement for an equine activity or event by and between the Sponsors and Landowners, namely and , dated , 19 . I understand the terms, provisions and conditions of the Agreement for the equine activity or event, its warnings and agree to abide by its terms, provisions and conditions.

I further acknowledge and understand that no warranty, either express or implied, is made by the Sponsors or Landowners as to the condition of the property or the facilities where the activity or event is to be held (hereinafter the premises) located in County, Texas, or of any roads, trails, buildings, gates, fences, pens or other facilities or improvements located thereon. This document serves to warn me that dangerous conditions, risks and hazards do exist. My presence and activities on the premises expose both me and my property to dangerous conditions, risks and hazards, including but not limited to: poisonous snakes, insects, spiders, buildings, barns, arenas and other improvements, whether or not owned or erected by Sponsors or Landowners; erosion and general condition of the land, both on and off road roadways or senderos, creating rough, hazardous and dangerous driving, riding and walking conditions; animals, both wild and domestic that may be diseased and/or potentially dangerous; deep water, and the use of vehicles. I hereby state that I am aware of these facts and expressly assume all such dangers, risks and hazards associated with them and agree to hold the Sponsors and Landowners harmless from these conditions whether or not caused by the Sponsors' or Landowners' negligence.

In consideration for the right to enter the premises, and to participate in the equine activity or event, I hereby release and agree to protect, indemnify and hold harmless the Sponsors, Landowners and their respective assignees, heirs, agents, employees and contractors from and against any and all claims, demands, causes of action and damages, including attorneys' fees, resulting from any accident, incident or occurrence arising out of, incidental to or in any way resulting from the use of the premises and any improvements located thereon, whether or not caused by the Sponsors' or Landowners' negligence. This release applies during the time that I am permitted on the premises. I hereby further covenant and agree that my heirs, successors, assigns and I will not make any claim or institute any suit or action at law or in equity against the Sponsors, Landowners or their respective assignees, heirs, agents, representatives, employees, successors or contractors by reason of conditions of the premises or activities occurring thereon, whether or not caused by the Sponsors' or Landowners' negligence.

As used in this release, the terms I, my person and myself include minors in my care while on the premises. I agree to accompany my minor children at all times while on the premises to prevent and avoid any possible imposition of the Attractive Nuisance Doctrine against the Sponsors or Landowners.

Dated and signed this day of 20 .

_________________________________________  _________________________________________
(Participant's Signature)         (Participant's Printed Name)

Participant's Address: _____________________________ ______________________________

The late Dean Patton, an attorney with Morrill, Patton and Bauer in Beeville, Texas, presented this waiver form at the 13th Advanced Real Estate Course sponsored by the Texas State Bar in 1991. It has been edited by the Real Estate Center at Texas A&M University and tailored to equine activities and events. It is offered as a sample only.
SURVEY FINDINGS

At each of the ranch rides, the riders were asked to fill out a questionnaire. The following summarized these results.

The average rider:

- has been trail riding for 13 years
- attends 12 trail rides a year
- drives 200 miles to participate in trail rides
- spends 2 nights away from home per ride
- owns 3 or fewer horses
- classifies themselves as an "intermediate" rider
- is 50 years old
- has graduated from high school and taken some college classes

When asked what would make a good ranch to ride on, these were the most frequent responses:

- Scenery and views
- Water crossings
- Challenging/varied/hilly trails
- Safety

When asked what would make a good trail ride, these were the most frequent responses:

- Good food
- Access to water for horses in camp area and on trail
- Rest room facilities
- Water and electrical hookups
- Evening entertainment, i.e. bonfire, singing, dancing
- Good parking and setup areas
HELPFUL CONTACTS

ASSOCIATIONS

T.E.T.R.A.
Lisa Bowers, President
10927 FM 1565
Terrill, Texas 75160
972-524-4203
lisabowers@usa.net

Texas Farm Bureau
P.O. Box 2689
Waco, Texas 76702-2689
254-751-2457

Texas Southwest Cattle Raisers' Association
1301 W. 7TH
Ft. Worth, Texas 76102-9934
817-332-7064

Texas A&M University System
Extension Horse Specialist Office
Department of Animal Science
2471 TAMU
College Station, Texas 77843-2471
409-845-1562

MEDIA

Texas Trailriding Homepage
www.texastrailriding.com

Texas Trails
791 Speegle Road
Waco, Texas 78712
254-848-4656
txtrails@mail.hot.net

Texas Trailriders Journal
3400 Mesa Court
Flower Mound, Texas
817-491-1554
TxAxTlTrd@aOLcom

Trail Rider Magazine
P.O. Box 5089
Alexandria, Louisiana 71307
318-448-2234
trailmag@centuryinter.net
www.trailridermagazine.com
CONCLUDING THOUGHTS

If you have reached this point of the handbook and your interest is aroused, you should consider joining TETRA as a ranch family member. The $20.00 you spend will be well worth it. Through their newsletter, you will start to get to know more about trail riding. You will also learn about trail riding opportunities in your area. It is very important that you go on or visit a trail ride before you ever decide to put one on yourself.

Ranch-based trail riding is not for every rancher. It is an activity which can take a lot of time and involves you with a lot of people. If you enjoy having friends visit your ranch and would like to expand that idea to a money making venture, trail riding might be for you.

An initial low-cost way to test the waters is to ask some of the local TETRA members if they would like to come to your ranch for a ride. Guide the riders through your ranch for a couple of hours and then sit down for some honest conversation and iced tea.

An agricultural enterprise fits every ranch. It is only through careful consideration that successful mix of business activities can be created. We hope this handbook has helped you to evaluate trail riding as an alternative income source.
EXAMPLES

RANCH DESCRIPTION

RANCH MAP

FLYER

RELEASE FORM

RIDE RULES
Riding the 33 Ranch is an experience incomparable to any other in south Texas. Over 25 miles of trails wind through river banks, 150 foot bluffs, and many hills, providing 180 degree vistas of miles of south Texas ranch land. Some trails are wide and grassy, while others are steep and narrow, providing a wide variety of riding experiences.

This 4th generation, 1,500 acre, working cattle ranch was founded by K.L. Handy. The Handy family was instrumental in the founding of Texas. Robert E. Handy, a member of the Patriot Army in Gonzales, was aide-de-camp to General Houston. He was one of the first three men chosen by Sam Houston because of his ability as a sharp shooter.

A 1947 newspaper article described Mr. Handy’s 33 Ranch as a place “where folks can gather and talk in the gathering darkness of the evening, watch the lightning bugs flash their way across the river bottom fields, hear the deep voice of a houn’ dog on the trail and the defiant bark of a playful coyote.”

This is still true today
The Real River Walk

The working farm and cattle ranch east of Kenedy, TX to the west banks of the San Antonio River, since the early 1880's has been 33 RANCH. In 1936, during the Great Depression, K.L. Handy purchased the part of this ranch known as the 33 RANCH river farm. The ranch today is still run by Mr. Handy's granddaughter raising cattle, horses, and some crops.

Come ride the banks, bluffs and hills of the San Antonio River Valley, an experience incomparable to any other in South Texas. Over 25 miles of trails wind through river banks, 150 foot bluffs, and many hills, providing 180 degree vistas of miles of South Texas ranch land.

On Saturday, TSCRA staff will provide all interested riders with training regarding their Horse Identification Program (H.I.P.), including freeze branding and safety demonstrations. Riders will also have the opportunity to participate in a Stock Horse of Texas (S.H.O.T.) horsemanship clinic.

If you want to ride on a South Texas Cattle Ranch, have family fun, and go home a better and safer horseman don't miss this ride.

For more information & reservations, call:

33 RANCH
830-583-2889

Ride Schedule

Friday
Noon ......................... Check-in
6:00 .......................... Supper

Saturday
6:30 ........................... Cattle Call
6:30 - 7:30 ...................... Breakfast
8:30 ............................ Ride Out
12:00 - 1:30 .................. Lunch
1:00 - 5:00 ...................... TSCRA (H.I.P)
1:00 - 5:00 ...................... S.H.O.T Clinic
1:30 ............................ Ride Out
6:00 - 7:30 ...................... Supper
7:30 .......................... Camp Fire/Entertainment

Sunday
6:30 ........................... Cattle Call
6:30 - 7:30 ...................... Breakfast
8:30 ............................ Cowboy Church & Ride Out
12:00 - 1:30 .................. Lunch
Have a safe trip home.
Hope you had a great time.

Costs
(Including 6 meals) $55
Children 7 - 12  $40
Children 6 and under $15
S.H.O.T Clinic - $10

LIMIT 100 RIDERS
RELEASE OF LIABILITY AND ACKNOWLEDGMENT AND ACCEPTANCE
OF DANGERS, RISKS AND HAZARDS OF TRAIL RIDING ON THE PREMISES

I, the Rider and undersigned, hereby acknowledge that I have knowingly and willingly entered a Trail Riding Agreement, or become a party bound by the terms and conditions of the Trail Riding Agreement by and between the Rancher and Sponsor, 33 Ranch, and ____________________________, dated ____________________________, I understand the terms, provisions and conditions of Trail Riding Agreement, its warnings and agree to abide by its terms, provisions and conditions.

I further acknowledge and understand that no warranty, either express or implied, is made by the Sponsors as to the condition of the property (hereinafter the leased premises) located in Karnes County, Texas, or of any roads, trails, buildings, gates or other improvements located thereon. This document serves to warn me that dangerous conditions, risks and hazards do exist. My presence and activities on the leased premises expose both me and my property to dangerous conditions, risks and hazards, including but not limited to poisonous snakes, insects and spiders; buildings, bams and improvements, whether or not erected by Sponsors; erosion and general condition of the land, both on and off roadways or senderos; creating rough, hazardous and dangerous driving, riding and walking conditions; animals both wild and domestic that may be diseased and/or potentially dangerous; deep water; and the use of vehicles. I hereby state that I am aware of these facts and expressly assume all such dangers, risks and hazards associated with them and agree to hold the Sponsors harmless from these conditions whether or not caused by the Sponsors’ negligence.

In consideration for the right to enter the leased premises, I hereby release and agree to protect, indemnify and hold harmless the Sponsors and his or her respective heirs, agents, employees and assigns from and against any and all claims, demands, causes or action and damages, including attorneys’ fees, resulting from any accident, incident or occurrence arising out of, incidental to or in any way resulting from the use of the leased premises and any improvements located thereon, whether or not caused by the Sponsors’ negligence. This release applies during the time that I am permitted on the leased premises. I hereby further covenant and agree that I, my heirs, successors and assigns will not make any claim or institute any suit or action at law or in equity against the Sponsors or his or her respective heirs, agents, representatives, employees, successors or assigns by reason of conditions of the leased premises or activities occurring thereon, whether or not caused by the Sponsors’ negligence.

As used in this release, the terms, I, my person and myself include minors in my care while on the leased premises. I agree to accompany my minor children at all times while on the leased premises to prevent and avoid any possible imposition of the Attractive Nuisance Doctrine against the Sponsors.

Dated and signed this ____________________________ day of ____________________________, 1999.

Rider’s Signature

Name(s) __________________________________________________________ __________

Address __________________________________________________________

City ____________________________ State __________ Zip __________

Mailing Address (if different from above) __________________________________

E Mail Address ____________________________________________________

Home Phone ____________________________ Work Phone ______________________

In the event of an emergency, contact the person listed below:

Name __________________________________________________________

Relationship ____________________________ Phone __________________________

Name(s) of minor members of my family participating in the event: __________________________________
Relationship ____________________________ D.O.B. ________________________

Name(s) __________________________________________________________
Relationship ____________________________ D.O.B. ________________________

TETRA ☐ YES ☐ NO

Coggins ____________________________

□ NO
33 RANCH

SCHEDULE

FRIDAY

NOON ................................................................................................................................. Check-in
6:30 P.M. - 7:30 P.M. .............................................................................................................. Dinner
7:30 P.M. ................................................................................................................................. Campfire

33 RANCH RADIO THEATRE

8:00 P.M. ................................................................................................................................. Wagon Rides

SATURDAY

6:30 A.M. ................................................................................................................................. Cattle Call
6:30 A.M. - 7:30 A.M. .............................................................................................................. Breakfast
8:15 A.M. ................................................................................................................................. Safety Meeting
8:30 A.M. ................................................................................................................................. Ride Out
12:00 (NOON) - 1:00 P.M. ...................................................................................................... Lunch
1:00 P.M. - 2:00 P.M. ............................................................................................................... TSCRA (H.I.P.)
2:00 P.M. - 2:30 P.M. ............................................................................................................. SHOT Demonstration
3:00 P.M. ................................................................................................................................. Ride Out
6:00 P.M. - 7:00 P.M. ............................................................................................................... Supper
7:00 P.M. ................................................................................................................................. Campfire

COWBOY STORYTELLER & MUSIC

SUNDAY

6:30 A.M. ................................................................................................................................. Cattle Call
6:30 A.M. - 7:30 A.M. .............................................................................................................. Breakfast
8:30 A.M. ................................................................................................................................. Cowboy Church
................................................................................................................................. Ride Out
12:00 (NOON) - 1:00 P.M. ...................................................................................................... Lunch

HAVE A SAFE TRIP HOME.

RULES

1. Practice good conduct and good manners
2. Respect the land and landowners request
3. Respect others
4. No Alcohol on trail
5. Zero tolerance for drunks or drugs
6. No disorderly conduct
7. Coggins paper will be checked on each animal in order to comply with all state and federal rules.
8. No dogs on trail
9. Kicking horses must have red ribbons
10. No unattended or uncontrollable horses will be allowed
11. Firearms are prohibited
12. Camp Area & Trails must be left clean
13. No playing of loud music
14. No swimming allowed
15. All riders must upon entering 33 Ranch
   - present current coggins papers
   - read and sign liability form
   - pay fees