

**NEW MEXICO WILDLAND FIRE MANAGEMENT JOINT POWERS MASTER
AGREEMENT
COST SHARE AGREEMENT AMENDMENT 1**

The purpose of this Cost Share Agreement is to provide for a coordinated cooperative fire suppression operation on this incident and to describe the cost share methodology. This Cost Share Agreement is entered into as per Section 44 of the New Mexico Wildland Fire Management Joint Powers Master Agreement.

1. Incident Name Mayhill Origin Date May 9, 2011 Time 13:41
2. Latitude 32° 52' 12" Longitude 105° 28' 48"
3. Estimated Size 31,861 Acres at the time of this Agreement.
4. Agency USDA-Lincoln National Forest Fire Code PNF3M6
Agency EMNRD-Forestry Div. Fire Code 11-52900652X
Agency USDI-BLM Carlsbad Field Office Fire Code F3M6
Agency USDI-BIA Mescalero Apache Fire Code F3M6

5. This Agreement becomes effective on May 9, 2011 at
13:41 and remains in effect until control

or until otherwise amended or terminated.

- | 6. Position | Name | Agency |
|-----------------------|----------------------------|----------------------------|
| Incident Commander | <u>Eddie Tudor Type 3</u> | <u>EMNRD-N5S</u> |
| Incident Commander | <u>John Pierson Type 2</u> | <u>USDA-FS-Gila NF</u> |
| Finance Section Chief | <u>Rene White Type 3</u> | <u>USDA-FS-Lincoln NF</u> |
| Finance Section Chief | <u>Diana Shultz Type 2</u> | <u>USFS-FS-Santa Fe NF</u> |

7. Agency Representatives participating in development of Cost Share Agreement:

- | | |
|-----------------------------------|--|
| Agency <u>USDA-Forest Service</u> | Agency <u>EMNRD-Forestry</u> |
| Name <u>Nancy Rose</u> | Name <u>Eddie Tudor</u> |
| Title <u>Forest Supervisor</u> | Title <u>Capitan District Forester</u> |

Agency BIA-Mesalero Apache

Agency BLM

Name Todd Reber

Name George MacDonnell

Title Acting Superintendent

Title Assistant Field Office Manager

8. There are several ways to determine the best cost share mix. Below are examples of five cost share possibilities:

- A. Each Agency pays for its own resources – fire suppression efforts are primarily on jurisdictional responsibility lands.
- B. Each Agency pays for its own resources – services rendered approximate the percentage of jurisdictional responsibility, but not necessarily performed on those lands.
- C. Cost share by percentage of ownership or Agency jurisdictional responsibility.
- D. Cost is apportioned by geographic division. Examples of geographic divisions are: Divisions A and B (using a map as an attachment); privately owned property with structures; or specific locations such as campgrounds.
- E. Reconciliation of daily estimates (for larger, multi-day incidents). This method relies upon daily agreed-to cost estimates, using Incident Action Plans or other means to determine multi-Agency contributions.

The following are not reimbursable:

- responsibility for tort claims or compensation for injury costs;
- non suppression rehabilitation costs are the responsibility of the Jurisdictional Agency;
- non-expendable property purchases (are the responsibility of the Agency making the purchase); and
- support costs (*i.e.* office dispatchers, warehouse workers, etc.), unless they are charging to an emergency code assigned to the incident.

9. Fire Suppression Costs will be divided between agencies as described below:
The costs on the Mayhill Fire will be shared by percentage of Agency Jurisdictional responsibility as per option C above. Following are the percentages that will be used as provided by the Pierson Type 2 Team:

USDA-Lincoln National Forest	18,079 acres	56.7%
EMNRD Forestry Division	9,681 acres	30.4%
USDI-BLM	1,498 acres	4.7%
USDI-BIA Mescalero	2,603 acres	8.2%
TOTAL	31,861 acres	100.00%

Federal Agencies will individually bill the EMNRD – NM Forestry Division for 30.4% of their costs.

The EMNRD – NM Forestry Division will bill the U.S. Forest Service for 69.6% of the Forestry Division's costs.

10. This Cost Share Agreement is our best judgment of Agencies cost responsibilities for this incident on the date/time shown. Future amendments to this Cost Share Agreement may be necessary, as conditions and fire spread change. This Cost Share Agreement can be negotiated in the field but only the State Forester has the authority to enter into a cost share agreement on behalf of the EMNRD, Forestry Division. Amendment 1 allows for EMNRD-Forestry Division to bill the USDA-Forest Service for all Federal Agencies as the lead Federal Agency.

Signature Nancy Rose Signature [Handwritten Signature]

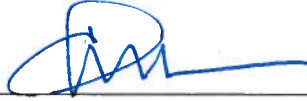
Agency USDA-Forest Service Agency EMNRD Forestry Division

Date 7/5/2011 Date 7-6-11

Telephone (505) 346-3900 Telephone (575) 476-3325

Share No.000...7104
EMNRD No. 08-521-2300-0288
Department of the Interior, et al
Forest Service Agreement #08-F1-11031600-035

Signature George Madroca

Signature 

Agency BLM -Carlsbad Field Office

Agency BIA - Mescalero Apache

Date 6/27/2011

Date 6/30/2011

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