

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

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 Donaldson Origin Date June 28, 2011 Time 13:41
2. Latitude 33° 18' 2" Longitude 105° 14' 13"
3. Estimated Size 101,562 Acres at the time of this Agreement.
4. Agency USDA-Lincoln National Forest Fire Code PNF5SK
Agency EMNRD-Forestry Division Fire Code 11-54250987X
Agency USDI-BIA Mescalero Apache Fire Code F5SK

5. This Agreement becomes effective on June 28, 2011 at 09:00 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>Michelle Lane 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>BIA Mescalero Agency</u> | Agency <u>EMNRD-Forestry Division</u> |
| Name <u>Erica Enjady</u> | Name <u>Eddie Tudor</u> |
| Title <u>Forest Manager</u> | Title <u>Capitan District Forester</u> |

Agency USDA-Forest Service

Name Dave Warnack

Title District Ranger

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.


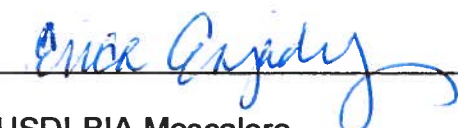
9. Fire Suppression Costs will be divided between agencies as described below: The costs on the Donaldson Fire will be shared by percentage of Agency Jurisdictional responsibility as per option C above. Following are the percentages that will be used as provided by the Pierson Type 2 Team:


| | | |
|-------------------------|----------------------|----------------|
| EMNRD Forestry Division | 87,648 acres | 86.3% |
| USDI-BIA Mescalero | 8,900 acres | 8.8% |
| USDA-Forest Service | 5,014 acres | 4.9% |
| TOTAL | 101,562 acres | 100.00% |

Federal Agencies will individually bill the EMNRD – NM Forestry Division for 86.3% of their costs.

The EMNRD – NM Forestry Division will bill the USDI-BIA for 13.7% 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.

| | |
|--|---|
| Signature <u></u> | Signature <u></u> |
| Agency <u>EMNRD Forestry Division</u> | Agency <u>USDI-BIA Mescalero</u> |
| Date <u>7-11-11</u> | Date <u>7/7/11</u> |
| Telephone <u>(575) 476-3325</u> | Telephone <u>(575) 464-4419</u> |

Signature 

Agency USDA-Forest Service

Date 7-6-2011

Telephone (575) 434-7200