

COST SHARE AGREEMENT

Following is a Cost Share Agreement between the Agencies identified below as negotiated for the following incident.

INCIDENT NAME: Fork INCIDENT NUMBER: SD-SDS-121336

START DATE AND TIME: 10/18/2012 0600 hours

FIRE/"P" NUMBER: SFM125629 / PNG9WS

ESTIMATED COSTS TO DATE: \$120,000

FINAL SIZE: 353.3 ACRES, (166.8 USFS/186.5 PVT; 48% USFS and 52% State of South Dakota)

This Cost Share Agreement between South Dakota Department of Agriculture and USFS - Black Hills National Forest, Hell Canyon Ranger District, was prepared under the following authorities provided by Cooperative Fire Protection Agreement Number 07-FI-11020000-01.

It is hereby agreed that the costs on this Incident will be shared as follows:

Costs will be apportioned based on acreage split between private land and the US Forest Service System lands burned for fire suppression and fireline rehab costs. BAER team costs are not included in this cost-share.

Furthermore it is agreed that costs on this Incident will be shared as follows:

1. All suppression costs, including those incurred in the mutual aid period will be used to determine total incident costs for this cost share agreement.
2. Non-suppression rehabilitation costs are the responsibility of the jurisdictional agencies and will not be shared.
3. Possible tort claims or claims against third parties will not be a part of this agreement.
4. All other costs will be shared based on acreage burned in each jurisdiction as of the containment date. (Exhibit A) The rationale for this method is that control actions were consistent on all acres regardless of jurisdiction.
5. Within 6 months, the parties to this agreement will meet to determine the total costs of each agency. The agency whose total actual costs exceed their

proportional share of the overall incident final costs as determined within this agreement will bill the other agency. Both agencies will agree to reduce their costs by the net amount of any settlements received from third parties in suppression cost recovery actions. The billing, when paid, will result in each agency sharing overall incident costs as herein agreed.

This Agreement and the apportionment described are our best judgments of fair and equitable Agency cost responsibilities.

Agency: South Dakota Department of Agriculture – Jay Esperance, Division Director

Signature: Jay T. Esperance Date: 11-28-12

Agency: USFS – Black Hills National Forest, Hell Canyon Ranger District – Lynn Kolund, District Ranger

Signature: Lynn D. Kolund Date: 11/19/2012

NYBERG - TRUSTEES RO

EDGAR DONALD

NYBERG KEVIN R

HARTMAN
RANDY

JOSEPHSON
LORRAINE

NEWGARD
BRUCE

NEWGARD
BRUCE

NEWGARD
BRUCE

NELSON
ARDELL

SKIDMORE BRUCE L

USA - USDA - BHNF

USA - USDA - BHNF

Ownership Data
from Custer County GIS

last name, first name	Acres
EDGAR DONALD	0.9
HARTMAN RANDY	5.5
JOSEPHSON LORRAINE	5.9
NELSON ARDELL L	25.3
NEWGARD BRUCE ALAN	72.7
NYBERG - TRUSTEES RO	2.9
NYBERG KEVIN R	7.1
SKIDMORE BRUCE L	66.2
USFS	166.8
total	353.3

Map of Fork Fire

Ownership

 Private = 186.5

 USFS = 166.8

total fire acres 353.3

