

Acequia del Potrero

**Independent Accountant's Report
on Applying Agreed-Upon Procedures (TIER 3)**

For the Year Ended December 31, 2019



**Office of the State Auditor
Brian S. Colón, Esq.**

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**State of New Mexico
Acequia del Potrero
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For the Year Ended December 31, 2019**

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**State of New Mexico
Acequia del Potrero
Official Roster
December 31, 2019**

<u>Name</u>	<u>Title</u>
David McCormick	President
Shelley Winship	Treasurer
Michael Lamb	Mayordomo



State of New Mexico Office of the State Auditor

CONSTITUENT SERVICES
(505) 476-3821

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED UPON PROCEDURES

Members of the Board of the Commission
Acequia del Potrero

We have performed the procedures enumerated below for the Acequia del Potrero (the Acequia) for the year ended December 31, 2019, solely to assist in determining compliance with the provisions of the Audit Act for a Tier 3 entity per Section 12-6-3 B (3) NMSA 1978 and Section 2.2.2.16 NMAC. The procedures were agreed to by the Acequia through the New Mexico Office of the State Auditor (OSA). The Acequia management is responsible for its accounting records and the subject matter. This agreed upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose. Our procedures and findings are as follows:

1. **Procedure** - Verify the local public body's revenue calculation and tier determination documented on the form provided at www.osanm.org under "Tiered System Reporting Main Page."

Results of Procedure 1

Based on a review of the Acequia's general ledger, total revenue for the fiscal year ending December 31, 2019 was \$4,455 (excluding capital outlay grants). Based on this information, the Acequia was properly determined to be a Tier 3 entity for 2019 since their total revenues were less than \$50,000 and they expended more than 50% of the state capital outlay appropriation from the New Mexico Interstate Stream Commission (NMISC) during 2019.

2. Capital Outlay and Procurement

Test all state-funded capital outlay expenditures.

- a. **Procedure** - Determine that the amount recorded as disbursed agrees to adequate supporting documentation. Verify that amount, payee, date and description agree to the purchase order, contract, vendor's invoice and canceled check, as appropriate.

Results of Procedure 2a

We determined that amounts recorded as disbursed agreed to adequate supporting documentation and we verified that amounts, payees, dates and descriptions agreed to the vendor's invoices, purchase orders, contracts and canceled checks as applicable. There was one grant, C2395. We examined all disbursements which in total were \$50,000.

- b. **Procedure** - Determine that cash disbursements were properly authorized and approved in accordance with the budget, legal requirements and established policies and procedures.

Results of Procedure 2b

We determined that disbursements were properly authorized and approved in compliance with the budget, legal requirements and established policies and procedures.

- c. **Procedure** - Determine that the bid process (or request for proposal process if applicable), purchase orders, contracts and agreements were processed in accordance with the New Mexico Procurement Code and State Purchasing Regulations (Section 13-1-28 through 13-1-199 NMSA 1978 and 1.4.1 NMAC).

Results of Procedure 2c

We determined that the bid process or request for proposal process, purchase orders, contracts and agreements were processed in accordance with the New Mexico Procurement Code and State Purchasing Regulations (Section 13-1-28 through 13-1-199 NMSA 1978 and 1.4.1 NMAC).

- d. **Procedure** - Determine the physical existence (by observation) of the capital asset based on expenditures to date.

Results of Procedure 2d

Given the recent health precautions, physical observation/contact has been limited during this time period in which the AUPs are being conducted, and alternative procedures are deemed sufficient. Accordingly, we determined the physical existence of the capital asset by photographs provided by the agency based on the expenditures to date.

- e. **Procedure** - Verify that status reports were submitted to the state agency per terms of agreement and amounts in the status report agree with the general ledger and other supporting documentation.

Results of Procedure 2e

We verified that status reports were submitted to the state agency per terms of agreement and amounts in the status report agree with accounting records and other supporting documents.

3. **Procedure** - If the project was funded in advance, determine if the award balance (and cash balance) appropriately reflects the percentage of completion based on the project schedule and expenditures to date.

Results of Procedure 3

The project was not funded in advance but on reimbursement basis.

4. **Procedure** - If the project is complete, determine if there is an unexpended balance and whether it was reverted per statute and agreement with the grantor.

Results of Procedure 4

The project is complete. We determined that there was not an unexpended balance at the end of the project.

5. **Procedure** - Determine whether cash received for the award was accounted for in a separate fund or separate bank account that is non-interest bearing if so required by the capital outlay award agreement.

Results of Procedure 5

Since the project was approved on a reimbursement basis, no separate fund or bank accounts was required.

6. **Procedure** - Determine whether reimbursement requests were properly supported by costs incurred by the recipient. Determine whether the costs were paid by the local public body prior to the request for reimbursement.

Results of Procedure 6

The requests for payments were properly supported by costs incurred by Acequia. See the Schedule of Capital Outlay Awards on Pg.5 of this report.

The invoices were not paid by the Acequia prior to the request for payment forms. The Acequia paid for the invoices after the grant checks were received from NMISC.

7. **Procedure** - If information comes to the IPA's attention (regardless of materiality) indicating any fraud, illegal acts, noncompliance, or any internal control deficiencies, such instances must be disclosed in the report as required by Section 12-6-6 NMSA 1978. The findings must include the required content per Section 2.2.2.10 (L) NMAC.

Results of Procedure 7

No exceptions were found as a result of applying the procedures described above (regardless of materiality) indicating any fraud, illegal acts, noncompliance or any internal control deficiencies.

We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Tier 3 agreed upon procedures. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of management of the Acequia, the OSA, the New Mexico Interstate Stream Commission, the New Mexico Department of Finance and Administration - Local Government Division, and the New Mexico State Legislature and is not intended to be and should not be used by anyone other than these specified parties.

Office of the State Auditor

Office of the State Auditor
Santa Fe, New Mexico
April 30, 2020

State of New Mexico
Acequia del Potrero
Exhibit 1- Schedule of Capital Outlay Awards
For the Year Ended December 31, 2019

	Note 1
Amount awarded to the Acequia	\$ 50,000
Amount received by the Acequia	50,000
Amount expended by the Acequia in prior years	-
Amount expended by the Acequia in current year	50,000
Remaining balance	\$ -

Agreement Provisions

Note 1: Grant agreement between ISC and the Acequia (Fund C2395 Capital Appropriation Project) - Construct and install improvements to the Acequia.

Legislative Authority: Laws of 2018, Ch. 80, Section 25, Paragraph 24

Legislative and Effective Dates: October 11, 2018

Agreement Termination / Reversion Dates: June 30, 2022

**State of New Mexico
Acequia del Potrero
Schedule of Findings and Responses
For the Year Ended December 31, 2019**

Current Year Findings:

None

Prior Year Findings:

No Matters were reported

**State of New Mexico
Acequia del Potrero
Exit Conference
For the Year Ended December 31, 2019**

On April 30, 2020 an exit conference was held web based via Zoom with the following individuals to discuss the results of the agreed upon procedures and the contents of this report.

Attendees

<u>Name</u>	<u>Title</u>
David McCormic	President, Acequia del Potrero
Shelly Winship	Treasurer, Acequia del Potrero
Michael Lamb	Mayordomo, Acequia del Potrero
Liza Kerr, CPA	Audit Manager, OSA
Kusum Adhikari	Audit Supervisor, OSA