



**STATE OF NEW MEXICO  
OTERO SOIL AND WATER CONSERVATION DISTRICT**

**ANNUAL FINANCIAL REPORT**  
June 30, 2008

**De'Aun Willoughby CPA, PC**  
Certified Public Accountant  
Melrose, New Mexico



STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
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 For the Year Ended June 30, 2008

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STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Official Roster  
June 30, 2008

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**BOARD OF SUPERVISORS**

Bill Mershon	Chairperson
Robert D. Bishop	Vice-Chairperson
Mike Kusmak	Secretary/Treasurer
Rick Baish	Supervisor
Eddie Vigil	Supervisor
Bob Nichols	Supervisor
Clyde Davis	Supervisor

**DISTRICT PERSONNEL**

Vicky Milne	Administrative Assistant
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**DeAun Willoughby CPA, PC**

Certified Public Accountant

P.O. Box 223 Melrose, NM 88124

(575) 253-4313

Independent Auditor's Report

Mr. Hector Balderas  
State Auditor of the State of New Mexico  
Board Supervisors of the OTERO SOIL & WATER CONSERVATION DISTRICT

Mr. Balderas and Members of the Board

We have audited the accompanying financial statements of the governmental activities, the general fund, and the respective budgetary comparison of the Otero Soil & Water Conservation District (District), as of and for the year ended June 30, 2008, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and with standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller of General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the general fund of the District as of June 30, 2008, and the respective changes in its financial position, and the respective budgetary comparison for the general fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The District has not presented the Management's Discussion and Analysis that the Governmental Accounting Standards Board has determined is necessary to supplement, although not required to be a part of, the basic financial statements and budgetary comparisons presented as supplemental information.

In accordance with *Government Auditing Standards*, we have also issued a report dated November 23, 2009 on our consideration of the District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Governmental Auditing Standards* and should be considered in assessing the results of our audit.

*DeAun Willoughby CPA PC*

November 23, 2009

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 Government-Wide Statement of Net Assets  
 June 30, 2008

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ASSETS

Current Assets

Cash in Bank	\$ 63,295
Accounts Receivable	78,758
Inventory	8,350
Total Current Assets	<u>150,403</u>

Noncurrent Assets

Capital Assets	30,795
Less: Accumulated Depreciation	<u>(7,892)</u>
Total Noncurrent Assets	<u>22,903</u>

Total Assets	<u>173,306</u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Accounts Payable	79,731
Accrued Payroll	232
Compensated Absences	<u>1,295</u>
Total Current Liabilities	<u>81,258</u>

Total Liabilities	<u>81,258</u>
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Net Assets

Invested in Capital Assets	22,903
Unrestricted	<u>69,145</u>

Total Net Assets	<u>\$ 92,048</u>
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The notes to the financial statements are an integral part of this statement.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 Government-Wide Statement of Activities  
 For the Year Ended June 30, 2008

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Program Expenses	
Conservation	\$ 514,206
Education	923
Personnel Service	79,189
Operating Expenses	20,194
Depreciation	2,967
Total Program Expenses	<u>617,479</u>
Program Revenues	
Charge for Services	25,248
Conservation Grants	575,099
Operating Grant	56,919
Total Program Revenues	<u>657,266</u>
Net Program (Expense) Revenue	<u>39,787</u>
General Revenues	
State Allocation	10,980
Interest Income	103
Miscellaneous	427
	<u>11,510</u>
Change in Net Assets	51,297
Net Assets at Beginning of Year	<u>40,751</u>
Net Assets at End of Year	<u>\$ 92,048</u>

The notes to the financial statements are an integral part of this statement.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 GOVERNMENTAL FUNDS  
 Balance Sheet  
 June 30, 2008

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	<u>General Fund</u>
<b>ASSETS</b>	
Cash in Bank	\$ 63,295
Accounts Receivable	78,758
Inventory	<u>8,350</u>
Total Assets	<u>\$ 150,403</u>
<b>LIABILITIES AND FUND BALANCE</b>	
Liabilities	
Current Liabilities	
Accounts Payable	\$ 79,731
Accrued Payroll	<u>232</u>
Total Liabilities	<u>79,963</u>
Fund Balances	
Unreserved Reported In:	
General Fund	<u>70,440</u>
Total Fund Balances	<u>70,440</u>
Total Liabilities and Fund Balances	<u>\$ 150,403</u>

The notes to the financial statements are an integral part of this statement.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 Reconciliation of the Governmental Funds  
 Balance Sheet to the Statement of Net Assets  
 June 30, 2008

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Amounts reported for governmental activities in the Statement of Net Assets are different because:

Total Fund Balance - Governmental Funds	\$	70,440
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds.		
The cost of capital assets	\$	30,795
Accumulated depreciation is	<u>(7,892)</u>	22,903
Some expenses reported in the Statement of Activities, such as compensated absences, do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds.		
		<u>(1,295)</u>
Total net assets - governmental activities	\$	<u><u>92,048</u></u>

The notes to the financial statements are an integral part of this statement.



STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 GOVERNMENTAL FUNDS  
 Statement of Revenues, Expenditures and Changes  
 in Fund Balance  
 For the Year Ended June 30, 2008

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	General Fund
Revenues	
Charge for Services	\$ 25,248
State & Local Grants	608,698
Federal Grant	34,300
Interest	103
Miscellaneous	427
Total Revenues	<u>668,776</u>
Expenditures	
Current	
Conservation	514,026
Education	923
Personal Service	79,480
Operating Expenses	20,194
Capital Outlay	19,446
Total Expenditures	<u>634,069</u>
Excess (Deficiency) of Revenues Over Expenditures	34,707
Fund Balances at Beginning of Year	<u>35,733</u>
Fund Balance End of Year	<u>\$ 70,440</u>

The notes to the financial statements are an integral part of this statement.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 Reconciliation of the Governmental Funds  
 Statement of Revenues, Expenditures and Changes in Fund Balance  
 To the Statement of Activities  
 June 30, 2008

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Net Change in Fund Balance \$ 34,707

Amounts reported for Governmental Activities in the Statement of Activities are different because:

Capital outlays to purchase or build capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are shown in the Statement of Net Assets and allocated over their estimated useful lives as annual depreciation expenses in the Statement of Activities. This is the amount by which depreciation exceeds capital outlays in the period.

Depreciation expense	\$	(2,967)	
Capital Outlays		19,446	16,479

Some expenses reported in the Statement of Activities, such as compensated absences, do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds.

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Changes in Net Assets of Governmental Activities \$ 51,297

The notes to the financial statements are an integral part of this statement.

**OTERO SOIL AND WATER CONSERVATION DISTRICT**

GENERAL FUND

Statement of Revenues, Expenditures, and Changes in Cash Balance -General Fund

Budget and Actual (Budgetary Basis)

For the Year Ended June 30, 2008

	Budgeted Amounts		Actual (Budgetary Basis)	Variances Positive (Negative) Final to Actual
	Original	Final		
<b>Revenues</b>				
Charge for Services	\$ 26,640	\$ 25,249	\$ 25,248	\$ (1)
State & Local Grants	594,269	619,004	619,004	0
Federal Grant	35,100	34,300	34,300	0
Interest	100	103	103	0
Miscellaneous	200	387	427	40
Total Revenues	<u>656,309</u>	<u>679,043</u>	<u>679,082</u>	<u>39</u>
<b>Expenditures</b>				
Conservation	523,989	515,280	516,503	(1,223)
Personal Service	79,472	79,472	79,248	224
Travel	5,000	4,537	4,537	0
Operating Expenses	23,775	16,580	15,657	923
Education Projects	1,000	1,000	923	77
Capital Outlay	19,446	19,446	19,446	0
Total Expenditures	<u>652,682</u>	<u>636,315</u>	<u>636,314</u>	<u>1</u>
Excess (Deficiency) of Revenues Over Expenditures	3,627	42,728	42,768	40
Beginning Cash Balance	<u>20,527</u>	<u>20,527</u>	<u>20,527</u>	<u>0</u>
Cash Balance End of Year	<u>\$ 24,154</u>	<u>\$ 63,255</u>	<u>\$ 63,295</u>	<u>\$ 40</u>
<b>Reconciliation of Budgetary Basis to GAAP Basis</b>				
Excess (Deficiency) of Revenues Over Expenditures-Cash Basis			\$ 42,768	
Net Change in Accounts Receivable			(10,306)	
Net Change in Prepaid Expenses			0	
Net Change in Inventory			(951)	
Net Change in Accrued Payroll			(232)	
Net Change in Accounts Payable			3,428	
Net Change in Fund Balance			<u>\$ 34,707</u>	

The notes to the financial statements are an integral part of this statement.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Notes to the Financial Statements  
June 30, 2008

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**I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

The Soil and Water Conservation District (District) is organized under the provisions of the Otero Soil and Water Conservation District Act (73-20-25 through 73-20-49 NMSA 1978). The District is a governmental subdivision of the state, a public body corporate and politic, organized for control and prevention of flood, sediment, and soil erosion damage, and to further the conservation, development and beneficial use of water and soil resources. The governing body of the District consists of five elected supervisors, four of whom must be landowners in the district. Two additional supervisors may be appointed to the district board. Supervisors serve a term of three years and continue in office until a successor is elected or appointed.

The financial reporting entity as defined by GASB 14 consists of the primary government, organizations for which the primary government is financially accountable and other organizations whose exclusion from the financial reporting entity would cause the financial statements to be misleading.

A primary government is any state government or general-purpose local government and the organizations comprising its legal entity. Although the District is organized as a subdivision of the State and administratively attached to the New Mexico State University, Department of Agriculture, the statutory powers of the District establish it as a primary government with a separate corporate and legal identity. The District has no component units, financially dependent affiliates, nor is it legally liable for actions of other agencies.

The financial statements of the District have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). To enhance the usefulness of the financial statements, the significant policies of the District are summarized below.

**B. Government-Wide and Fund financial Statements**

The government-wide financial statements (i.e., the statement of net assets) report information on all of the non fiduciary activities of the primary government. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to significant extent on fees and charges for support. However, the District does not have any fiduciary or business-type activities.

Amounts reported as program revenues include 1) charges to customers for herbicide and calendar sales; and 2) operating grants for noxious weed program and bush control. Internally designated resources are reported as general revenues rather than program revenues. Likewise, general revenues include all taxes.

**C. Measurement Focus, Basis of Accounting and Financial Statement Presentation**

The government-wide financial statement are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Notes to the Financial Statements  
June 30, 2008

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Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, expenditures as well as expenditures related to claims and judgments, if any are recorded only when payment is due.

Grant Revenues and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The District reports the following major governmental funds:

The general fund is the District's primary operating fund. It accounts for all financial resources of the District.

Private-sector standards of accounting and financial reporting issued prior to November 30, 1989, generally are followed in the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board.

As a general rule, the effect of interfund activity, if applicable, has been eliminated from the government-wide financial statements. When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first, then unrestricted resources as they are needed.

**D. Assets, Liabilities, Net Assets and Fund Balance**

**Cash**

The District's cash and cash equivalents consists of demand deposits.

**Inventory**

All inventories are valued at cost using the first-in/first-out (FIFO) method. The District maintains an inventory of herbicides that are sold for brush and noxious weed control purpose. The inventories are expended when used.

**Capital Assets**

Capital assets, which include property and equipment (including software), are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by state law as assets with an initial cost of \$5,000 and an estimated useful life of more than one year. The total amounts spent for construction, if any, are capitalized and reported in the government-wide financial statements. For donations, the government values these capital assets at the estimated fair value of the item at the date of acquisition. The cost of normal maintenance and repairs that do not add to the value or extend the life of the asset are not capitalized. There was no infrastructure required to be capitalized and depreciated.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Notes to the Financial Statements  
June 30, 2008

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Property and equipment of the District is depreciated using the straight line method over the following estimated useful lives:

Storage Container	10 years
Computer Equipment	5 years
Vehicle	10 years

**Accounts payable**

The account payable as of the balance sheet date includes routine monthly bills for services rendered and products purchased which are paid in the following month.

**Compensated Absences**

The District's employee's that are eligible for annual vacation and sick leave is as follows. Less than two years will receive 1 hour weekly, two to five years will receive 2 hours weekly, five to eight years will receive 3 hours weekly and eight plus years will receive 4 hours weekly. The employees are entitled to carry over annual leave from calendar year to calendar year up to 120 hours. The District does not compensate for unused sick leave or compensatory time at termination. The District will compensate the employee for vacation leave balance at termination of employment.

**Net Assets and Fund Balance**

The difference between the District's assets and liabilities is its net assets. The District's net assets consist of four components — invested in capital assets, which is the cost of capital assets, net of accumulated depreciation, and unrestricted net assets. In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation and/or are legally restricted by outside parties for use for a specific purpose.

**II. Stewardship, Compliance and Accountability**

**A. Budgetary Information**

The budget is prepared on a basis that differs from accounting principles generally accepted in the United States of America (GAAP). GAAP basis revenues and expenditures include accrued amounts. The revenues and expenditures reported in the budgetary comparisons are generally recorded on the cash basis. The District uses the following procedures to establish the budgeted amounts reflected in the budgetary comparisons:

1. Prior to April 1, the Budget Committee submits to the District Board of Supervisors a proposed revenue and expenditure budget for the fiscal year beginning July 1.
2. The Board reviews the budget proposal and makes any necessary adjustments.
3. Prior to June 1, the Board approves the budget by passing a resolution.
4. Prior to June 20, the approved budget is submitted to the State of New Mexico, Department of Finance and Administration, Local Government Division (DFA-LGD) for approval by the first Monday of September. The Board receives notice of the approved budget.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
 Notes to the Financial Statements  
 June 30, 2008

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The legal level at which actual expenditures may not exceed budgeted expenditures is at the total fund level. The Board can revise its budget with the approval of DFA-LGD. Encumbrance accounting is not utilized by the District.

**B. Reconciliation of Non-GAAP Budgetary Basis to GAAP Basis Financial Statements**

The Combined Statement of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual - all Governmental Fund Types is presented on the budgetary basis to provide a comparison of actual results with the budget. The major differences between the budget basis and GAAP (Generally Accepted Accounting Principles) basis are that:

- A. Revenues are recorded when received in cash (budget basis) as opposed to when susceptible to accrual (GAAP basis).
- B. Expenditures are recorded when paid in cash (budget basis) as opposed to when the liability is incurred (GAAP basis).

The adjustments necessary to convert the results of operations for the year from GAAP basis to the budget basis for the governmental funds are presented on each individual Statement of Revenues, Expenditures, and Changes in Cash Balance - Budget and Actual (Budgetary Basis).

Reconciliations are located at the bottom of the general fund budget actual.

**III. Detailed Notes on all Funds**

**A. Cash and Investments**

Cash and Investments Cash in Bank:

Account Name	Account Type	Bank Balance 6/30/2008	Reconciled Balance 6/30/2008
Pioneer Bank			
Otero SWCD	Checking	\$ 64,049	\$ 59,753
Otero SWCD-Brush Control	Checking	3,542	3,542
	Total	67,591	63,295
	Less: FDIC coverage	(67,591)	
	Amount uninsured	0	

The difference between the bank balance and the reconciled balance is outstanding deposits, outstanding checks and pending bank adjustments.

*Custodial Credit Risk* — Deposits. Custodial credit risk is the risk that in the event of a bank failure, the District's deposits may not be returned to it. The District does not have a deposit policy for custodial credit risk. As of the end of the fiscal year none of the Districts bank balances were exposed to custodial credit risk.

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Notes to the Financial Statements  
June 30, 2008

<b>B. Capital Assets</b>	Beginning Balance <u>6/30/2007</u>	Additions	Deletions	Ending Balance <u>6/30/2008</u>
Capital Assets, being Depreciated				
Storage Container	\$ 2,000	\$ 0	\$ 0	\$ 2,000
Computer Equipment	9,349	0	0	9,349
Vehicle	<u>0</u>	<u>19,446</u>	<u>0</u>	<u>19,446</u>
Total Capital Assets, being Depreciated	<u>11,349</u>	<u>19,446</u>	<u>0</u>	<u>30,795</u>
<b>Less Accumulated Depreciation</b>				
Storage Container	967	200	0	1,167
Computer Equipment	3,958	822	0	4,780
Vehicle	<u>0</u>	<u>1,945</u>	<u>0</u>	<u>1,945</u>
Total Accumulated Depreciation	<u>4,925</u>	<u>2,967</u>	<u>0</u>	<u>7,892</u>
	<u>\$ 6,424</u>	<u>\$ 16,479</u>	<u>\$ 0</u>	<u>\$ 22,903</u>

Depreciation expense was charged to the conservation function.

**IV. Other Information**

**A. Employee Benefits**

The District does not offer a pension plan, deferred compensation plan, or post-employment benefits to its employees.

**B. Risk Management**

The District is exposed to various risks of loss due to torts, theft or damage of assets, errors and omissions and natural disasters. The District's supervisors and employees are covered by an errors and omissions liability policy purchased by the New Mexico State University, Department of Agriculture, to which the District is administratively attached. The limits for this policy are \$1,050,000 for each wrongful act and \$1,050,000 for the policy aggregated. The District is required to obtain a corporate fidelity bond on behalf of persons responsible for District assets. The District currently maintains a \$10,000 fidelity bond on its District Clerk and Supervisors. The District has not sustained any losses during the last several years and is not a defendant in any lawsuit.

**C. Contingent Liabilities**

Amounts received or receivable from grant agencies are subject to audit and adjustments by grantor agencies, principally the state and federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures that may be disallowed by the grantor cannot be determined at this time, although the government expenses such amounts, if any, to be immaterial.



DeAun Willoughby CPA, PC

Certified Public Accountant

P.O. Box 223 Melrose, NM 88124

(575) 253-4313

Report on Internal Control Over Financial Reporting and on Compliance  
and Other Matters Based on an Audit of Financial Statements Performed  
In Accordance with *Government Auditing Standards*

Mr. Hector Balderas  
State Auditor of the State of New Mexico  
Board Supervisors of the OTERO SOIL & WATER CONSERVATION DISTRICT

Mr. Balderas and Members of the Board

We have audited the financial statements of the governmental activities, the general fund and the budgetary comparison of the Otero Soil & Water Conservation District, (District), as of and for the year ended June 30, 2008, and have issued our report thereon dated November 23, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting as a basis for designing the auditing procedures for the purpose of expressing opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the District's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District's financial statements that is more than inconsequential will not be prevented or detected by the District's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies or material weakness. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed one instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and which is described in the accompanying schedule of findings and responses as items 07-1.

The District's response to the finding in our audit is described in the accompanying schedule of findings and questioned costs. We did not audit the District's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, the New Mexico State Legislature and its committees, the Office of the State Auditor, the New Mexico Department of Finance and Administration - Local Government and federal awarding agencies and pass through entities and is not intended to be and should not be used by anyone other than these specified parties.

*De'Aun Willoughby CPA PC*

November 23, 2009

STATE OF NEW MEXICO  
**OTERO SOIL AND WATER CONSERVATION DISTRICT**  
Schedule of Findings and Responses  
June 30, 2008

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**Prior Year Audit Findings**

	<u>Status</u>
07-1 Late Audit Report	Repeated

**Current Year Audit Findings**

**07-1 Late Audit Report**

**Condition**

The audit report was filed after the due date. The report was submitted on 11/30/09 to the State Auditor's Office.

**Criteria**

According to the State Auditor Rule 2.2.2.9 (d), the audit report due date for the District is November 15.

**Effect**

The users of the financial statements such as legislators, creditors, bondholders, state and federal grantors, etc., do not have timely audit reports and financial statements for their review. Late audit report could have an effect on state and federal funding.

**Cause**

The District did not contract with the auditor until after the due date of the audit report.

**Recommendation**

The District should make every effort to hire an auditor and complete their audit timely.

**Response**

District staff will continue working with our external auditor's to ensure that audits are completed timely.

**Financial Statement Preparation**

The financial statements were prepared by De'Aun Willoughby CPA. However, they are the responsibility of management.

**Exit Conference**

An exit conference was held on November 23, 2009. Those present were Eddie Vigil-Supervisor, Vicky Milne-Administrative Assistant and De'Aun Willoughby, CPA.