

Riddle, Marcelina

From: Cristina Jacuzzi <cristinajacuzzi@gmail.com>
Sent: Wednesday, January 7, 2026 11:06 AM
To: Riddle, Marcelina
Cc: Storms, Scott; Scott King; Virginia Bradley; Rachel Bonilla; Dalila Martinez
Subject: Re: Record Confirmation – Post-Formation Water Right Transfer History

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Dear Marcelina,

Thank you for your response and for clarifying IDWR's position regarding the limits of administrative review related to water right ownership.

We understand and acknowledge that determinations of water right ownership are not an administrative action subject to challenge under the Idaho Administrative Procedure Act and that IDWR updates ownership records only upon receipt of a court order, such as a quiet title judgment.

That said, we want to ensure the factual record is clear and complete as this matter proceeds on parallel regulatory and legal tracks.

Importantly, **all warranty deeds conveying the subdivision lots to homeowners contain no exclusion of the domestic water right.** At no point was the water right expressly reserved, severed, or disclosed as excluded from the subdivision conveyances. This fact is central to the ownership question and is one of the reasons the HOA is seeking clarity and correction of the current record.

Additionally, the HOA was formally organized in 2017, prior to the subsequent transfers reflected in IDWR ownership filings. Those post-formation transfers occurred without notice to, consent from, or approval by the HOA or its members. While we understand IDWR cannot adjudicate ownership, these facts are relevant to ensuring that agency records are not relied upon as confirmation of lawful authority where such authority may be disputed.

At this time, the HOA is coordinating with counsel and is also engaged with other regulatory agencies reviewing operational authority, billing practices, and system control. We appreciate IDWR's guidance regarding the appropriate judicial avenue should formal adjudication become necessary.

Please consider this email part of the record reflecting the HOA's position and the absence of any deed-based exclusion of the water right. If IDWR requires specific documentation to accompany future filings once a court determination is obtained, we would appreciate guidance on preferred format and submission process.

Thank you again for your time and professionalism.

Kind regards,
Cristina Jacuzzi
Board Member
Southshore Subdivision No. 2 HOA

On Wed, Jan 7, 2026, 10:43 AM Riddle, Marcelina <marcelina.riddle@idwr.idaho.gov> wrote:

Hi Cristina,

Thank you for reaching out regarding Water Right No. 63-32259.

In accordance with Idaho law cited in section 42-248 (8), Idaho Code:

(8) Any action by the department updating the ownership of a water right in the department's records or returning the notice of change of ownership to the person filing the notice is not a determination of water right ownership, is not an administrative action subject to challenge under the Idaho administrative procedure act, [chapter 52, title 67](#), Idaho Code, and is not subject to a request for hearing pursuant to section [42-1701A](#), Idaho Code. Water right ownership disputes arising from a notice of change of water right ownership under this section must be resolved either in a water rights adjudication or in an action to quiet title pursuant to section [6-401](#), Idaho Code.

To directly answer your question, **at this juncture there is not an internal process at IDWR in which you can pursue.** The only way IDWR will update ownership records is if a **quiet title action served from a court is presented to IDWR** which outlines true ownership of the right.

I would suggest reaching out to an attorney as I am not at liberty to give you law advice.

Thank you for your time,



Marcelina Riddle | Water Resource Agent Sr.

Western Regional Office

2735 W. Airport Way Boise ID 83705

(208) 605-4632 | www.idwr.idaho.gov

From: Cristina Jacuzzi <cristinajacuzzi@gmail.com>

Sent: Tuesday, January 6, 2026 11:43 PM

To: Scott King <scott.king@idwr.idaho.gov>

Cc: Storms, Scott <Scott.Storms@idwr.idaho.gov>; Riddle, Marcelina <marcelina.riddle@idwr.idaho.gov>; Virginia Bradley <virginia@idahohoa.com>; Rachel Bonilla <rbonilla11@yahoo.com>; Dalila Martinez <dalila4c@gmail.com>

Subject: Re: Record Confirmation – Post-Formation Water Right Transfer History

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Hi Scott,

I hope you're doing well and thank you for assisting us. I'm writing on behalf of the Southshore Subdivision No. 2 HOA to request guidance on the appropriate process or form to correct the owner-of-record and authority chain for Water Right No. 63-32259.

The transfer appears to have occurred after the HOA was formed in mid-2017, and we want to ensure the Department's records accurately reflect any lawful authority associated with that transfer. We also note for context that the homeowners' warranty deeds do not reflect any express reservation or exclusion of this water right from the subdivision.

Our intent is simply to follow the correct administrative process and provide whatever documentation may be helpful.

Please let us know how you would recommend proceeding.

Thank you very much for your time and assistance.

Kind regards,

Cristina Jacuzzi

Southshore Subdivision No. 2 HOA

6193224948

On Fri, Jan 2, 2026, 3:57 PM Scott King <scott.king@idwr.idaho.gov> wrote:

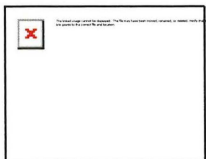
Hello Cristina,

Cody forwarded to me the below message from you. We will enter your correspondence into the file.

As of today, Cody is no longer employed by IDWR. I am requesting that Marcelina Riddle, copied on this message, be your primary point of contact with the department. Please do copy me on email correspondence.

Thank you,

Scott



Scott King

Western Regional Manager

Idaho Dept. of Water Resources

208-334-2190

From: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Sent: Thursday, January 1, 2026 12:42 PM
To: Storms, Scott <Scott.Storms@idwr.idaho.gov>; Scott King <scott.king@idwr.idaho.gov>
Subject: Fw: Record Confirmation – Post-Formation Water Right Transfer History

This email is a continuation of the discussions we have had with these folks.

thanks

Cody

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From: Cristina Jacuzzi <cristinajacuzzi@gmail.com>
Sent: Thursday, January 1, 2026 11:56:04 AM
To: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Cc: Virginia Bradley <virginia@idahohoa.com>; Rachel Bonilla <rbonilla11@yahoo.com>; Dalila Martinez <dalila4c@gmail.com>
Subject: Record Confirmation – Post-Formation Water Right Transfer History

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Hi Cody,

I am writing on behalf of the Southshore Subdivision No. 2 Homeowners Association to place a confirmation on record regarding the water right associated with the subdivision.

As you are already aware, the HOA has been reviewing the historical chain of events related to this water right. Based on records now confirmed by the Association, the HOA became formally operational

in May 2017. The water right was transferred in December 2017, after HOA formation, from a bank to the developer, and was subsequently transferred in 2018 from the developer to Ryan Martin. These transfers occurred without HOA authorization, and the water right was not excluded from homeowner deeds.

The HOA is not requesting that IDWR adjudicate ownership. This correspondence is intended solely to confirm the sequence of transfers as the Association now understands it, and to ensure the Department's records reflect that the HOA disputes the effect of these post-formation transfers on system authority.

The Association appreciates IDWR's prior awareness of this matter and submits this letter to ensure the record accurately reflects the HOA's confirmed understanding of the transfer history.

For coordination purposes, similar confirmation has been provided to the Idaho Department of Environmental Quality and the Idaho Public Utilities Commission.

Please let us know if any additional documentation would be helpful for the Department's records.

Thank you for your time and continued attention.

Sincerely,
Cristina Jacuzzi
President
Southshore Subdivision No. 2 Homeowners Association

Cristina Jacuzzi