

## Clive Strong retires from the Attorney General's office

By Jim Jones

As Chief of the Idaho Attorney General's Natural Resources Division for over 32 years, Clive Strong has done more good for the State than practically any other public servant. I hired Clive as a deputy attorney general in August of 1983 and within 30 days he was up to his ears in the Swan Falls water rights fight between the State and Idaho Power Company. An Idaho Supreme Court decision had given virtual control of the Snake River to Idaho Power and it took several years of struggle between the parties to reach a settlement agreement putting the State back in control of the River. Clive's hard work played a major role in the State's success.

The Swan Falls settlement called for a revamping of Idaho water law and an adjudication of water rights in the Snake River Basin. Clive played a lead role in getting legislation passed to modernize Idaho water law and he served as the State's lead attorney in the Snake River Basin Adjudication. The adjudication, which quantified and prioritized over 158,000 water rights, was the first large-scale adjudication ever brought to completion in the U.S. It has been held up as a model for the country.

For three decades, Clive has counseled the Idaho Land Board regarding its duties and responsibilities under Idaho law, particularly the requirement to get the maximum long-term return from State-owned lands for the benefit of Idaho's schools. He successfully prosecuted a suit challenging below-market rentals for the State's cabin site properties.

Since the mid-80s, Clive has played the lead role in litigation to protect and enhance Idaho's salmon and steelhead runs. During my tenure as AG, he became the State's legal expert on nuclear waste issues, including litigation in 1986 that successfully challenged the U.S. Energy Department's selection of the Hanford Nuclear Reservation as one of three potential repositories for commercially-produced high-level nuclear waste. More recently, he has been Attorney General Lawrence Wasden's point person in holding the U.S. Government to the agreement requiring the removal of nuclear waste from our State.

One of Clive's greatest legacies is the large number of complex, high-conflict water disputes that he was able to resolve by virtue of his ability to see the big picture and then skillfully show multiple competing parties how their various interests could be compromised. These include resolution of numerous federal reserved water rights, settlement of Native American water right claims, and resolution of priority claims asserted by Hagerman fish farmers against groundwater pumpers located upstream. He

negotiated a landmark water rights agreement with the Shoshone-Bannock Tribes in the late 80s and, later, an agreement with the Nez Perce Tribe. One of his innovative settlements between ground and surface water users resulted in the State's acquisition of Box Canyon on the Middle Snake and the establishment of Box Canyon State Park.

During his service in the Attorney General's office, Clive argued two cases before the U.S. Supreme Court, as well as a dozen in the Idaho Supreme Court. In recognition of his many accomplishments, Clive received the Environment, Energy, and Resources Government Attorney of the Year Award from the American Bar Association in 2014. He has received the Idaho State Bar's Professionalism Award, the Marvin Award from the National Association of Attorneys General, and the much-coveted Jim Jones Public Service Award from the Western Conference of Attorneys General.

Throughout his illustrious career, Clive remained a humble, grounded individual, who took pain not to toot his own horn. So, let me toot it for him for outstanding service to the people of Idaho. Best wishes to Clive and his wife and partner, Martha, for a wonderful retirement.