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Lawsuit takes aim at Echo Canyon water rights in Grand County Utah

NEWS COVERAGE ON THIS LITIGATION

- July 2, 2025 - [Lawsuit takes aim at Echo Canyon water rights](#). By Doug McMurdo for Moab Times-Independent and Salt Lake Tribune.

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Press Release for immediate release as of June 28, 2025

LIVING RIVERS AND KANE CREEK DEVELOPMENT WATCH CHALLENGE KANE CREEK LUXURY RESORT'S WATER RIGHTS

Note: The developers have recently changed the name of their luxury resort from Kane Creek Preservation and Development, LLC to Echo Canyon, a Preliminary Municipality.

Note: The citizen's group known as Kane Creek Development Watch has a nickname: "The Watch"

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Living Rivers and Kane Creek Development Watch (hereafter referenced together as "Watch") have filed a lawsuit in the Seventh Judicial District Court of Grand County challenging the validity of the water rights claimed by Kane Creek luxury resort developers ("Developers"). Watch's lawsuit states that the Developers' groundwater and Colorado River water rights were not put to beneficial use for more than seven years, which, under Utah law, means the water rights are subject to forfeiture. Development, even the preliminary bulldozing, cannot legally continue without a water supply.

Local opposition to the proposed Kane Creek luxury resort has been strong and consistent, with residents voicing concerns at standing-room only public hearings. "This project does nothing to address Grand County's affordable housing crisis—in fact, it makes it worse," said Laura Long, a Watch activist and frequent speaker at the hearings. "It's an exclusive enclave for wealthy investors that would drive up land prices, strain local infrastructure, cost local taxpayers money, and destroy the natural character of the canyon and the Colorado River floodplain." The resort proposal (which has changed several times) calls for over 550 high-end housing units, 70,000 square feet of commercial space, and 100 overnight accommodations in the heart of the Kings Bottom area.

Bob Phillips, a water right owner and Moab Mosquito Abatement District manager for 23 years who frequently observed and assessed the proposed project site, says, "Utah law is very clear that if water rights aren't put to beneficial use for seven years, those water rights are no longer good. Anyone who has spent time in the Kane Creek development area knows that there's barely been any irrigation there for decades. Therefore, the developers have lost their right to this water--and there are plenty of other people who want it."

In their prior protest to the use of these water rights, the U.S. Bureau of Land Management (BLM) noted that several natural springs on public lands adjacent to development could shrink or dry up due to increased groundwater use at the development. The BLM's springs are critical for wildlife and nearby native plants and hanging gardens--places like Moonflower Canyon, Hunter Canyon, Pritchett Canyon, Kane Canyon, and the Behind the Rocks Wilderness Study Area.

John Weisheit, Colorado Riverkeeper and director of Living Rivers agrees: "We need to show respect to the Colorado River and our water supplies in times of prolonged drought, water scarcity, flood events and in land use. The Developers of this luxury resort on the Colorado River fail to do so."

Dave Closser, a Moab resident, has been monitoring the resort's progress from the beginning. He is concerned about safety and delays on Kane Creek Boulevard, a rough and narrow gateway access road for public recreation traversed daily by tourists and Grand County residents alike. "The resort construction and massive infrastructure development will make accessing all of Kane Creek Boulevard, and nearby recreation areas, difficult and dangerous for years. There will be long delays on the narrow road along the River, and there are no go-arounds. Local businesses could be forced to cancel or reduce their operations which will trickle down to their bottom line and the pockets of their employees. And who is going to pay for the road expansion? It's going to cost millions of dollars, and the federal government has already declined to fund it."

Several local tourism business owners submitted statements in support of the lawsuit, noting that the resort and its water use could damage their businesses.

Kane Creek Development Watch is a grassroots citizen's group based in Moab. It sprung up in 2024, in response to this resort proposal. Its strong network of donors and activists have been pushing back against the well-funded and politically-connected Developers, including by funding this lawsuit (which is funded entirely by hundreds of local residents and visitors) and collecting 17,850 signatures from residents and others opposed to this massive resort. Watch is dually focused on (a) mitigating impacts from the development on the unique area it would decimate, the surrounding ecosystem, and adjoining public lands, as well as (b) preventing additional strain on the water supply of the Colorado River and its tributaries, which are over-appropriated.

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DOCUMENTS:

- [The complaint and exhibits](#)
- [The complaint only](#)
- [The exhibits only](#)

ADDITIONAL WEBSITES:

- <https://kanecreekwatch.org/>
- <https://www.livingrivers.org/nonprofit/moab-ut>

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02/21/25

Legal Intervention Defends Clean Air from Fossil Fuel Industry in Utah's Uinta Basin

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Legal Intervention Defends Clean Air from Fossil Fuel Industry in Utah's Uinta Basin

DENVER— Environmental and public health groups [filed a motion](#) Thursday to join a federal lawsuit defending the Environmental Protection Agency's efforts to strengthen clean air safeguards in northeastern Utah's Uinta Basin.

"We're fighting back against greedy polluters asking the court for a get-out-of-jail-free pass to keep poisoning the air Utahns breathe," said Ryan Maher, an attorney at the Center for Biological Diversity. "The Trump administration's fixation with dismantling bedrock environmental laws and thrusting the door open for toxic industries means it's up to us to help defend clean, breathable air in court."

In 2024 the EPA found that the Uinta Basin, a large oil and gas extraction region, exceeded health-based limits for toxic ground-level ozone, the key ingredient of smog. The decision requires the state of Utah to develop a stronger clean air plan and reduce pollution in the region.

The Utah Petroleum Association, joined by the state of Utah, several Utah counties and Ute Tribe oil and gas interests, sued in federal appeals court to overturn the EPA's decision. The motion to intervene asks the court to allow the environmental and public health groups to join the EPA in fighting the lawsuit and defending clean air for the Uinta Basin.

"Clean air in the Uinta Basin continues to be undermined by unchecked fossil fuel extraction, putting people and communities at risk. Ozone pollution can have broad adverse health effects, including destroying lung tissue, and even causing failed pregnancies and still births, said Jonny Vasic, executive director of Utah Physicians for a Healthy Environment. "We won't sit back and let the oil and gas industry and its cronies in Utah state government fight to put polluters ahead of our health."

Ozone in the Uinta Basin has soared to levels normally experienced in big cities, the result of unchecked oil and gas extraction. Drilling, fracking, pipelines and tanker trucks in the region release enormous amounts of pollution, including volatile organic compounds and nitrogen oxide gases.

A poisonous gas, even at very low levels ozone is a [serious respiratory irritant](#) that can harm lungs, trigger asthma attacks, worsen lung disease and cause premature death. "This intervention is about defending the Uinta Basin from the oil and gas industry's relentless push to despoil the region's air, waters and lands for its own profit," said John Weisheit, conservation director for Living Rivers. "The Uinta Basin's smog problem won't go away unless and until the industry stops getting a free pass to pollute."

Plans to construct a [new oil railroad](#) in the Uinta Basin could quintuple oil production and worsen air quality. The Uinta Basin railway, which was [blocked](#) by a federal court in 2023, is still under consideration as the [U.S. Supreme Court weighs](#) approval. In 2018 the Uinta Basin was declared a "dirty air" area under the Clean Air Act because of unhealthy ozone. The region has continued to suffer from high pollution. Under the federal Clean Air Act, the EPA was required to find the Uinta Basin failed to comply with ozone health standards, a finding that triggered stronger clean air safeguards.

More information about the Center's fight against air pollution is available at:

[Protecting Air Quality Under the Clean Air Act.](#)
